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Intended primarily for California educators, this handbook outlines the history, aims, and structure of continuation education (mainly for out of school youth under 18), and discusses procedures and problems in the areas of program establishment and administration, relations with full time school and other agencies, counseling, guidance, general program coordination, curriculum and methods (especially the use of tutoring and vocational orientation), attendance and related record keeping, graduation requirements, work permits, program evaluation, and accreditation. Included are pertinent state and Federal laws, and guidelines for funding the foundation program for small high schools. Appendixes also contain provisions of state education, administrative, and labor codes; attendance accounting guidelines for continuation classes and high schools; an example of state aid computation for a district with continuation education classes and for a district with a small high school program; and regulations on the number of certificated employees necessary for small high schools and approved continuation high schools. (ly)

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HANDBOOK ON
Continuation Education in California

Prepared for the

Bureau of Elementary and Secondary Education
California State Department of Education

By John W. Voss
Special Consultant

AC 004 462

Foreword

Continuation education in California is designed chiefly for boys and girls under eighteen -- sometimes as young as fourteen -- who do not perform satisfactorily in the regular schools; who are not provided for in other special programs; and who, if not helped in their particular educational needs, tend to join the ranks of delinquent youth and welfare recipients. Usually, when these youth drop out of the comprehensive high schools, they are neither qualified for employment nor ready for occupational training.

And yet these young people continue to need a high school diploma, for two reasons. First, if it is not acquired within a reasonable time, other patterns of life and responsibilities that seriously limit or delay the student's highest potential are likely to develop. Secondly, for these youths the diploma is generally an acceptable and worthy goal.

For those who do not graduate from continuation high school but leave at the age of eighteen, this type of schooling helps to develop the knowledge, skills, and attitudes needed for entrance into employment or further training.

Good continuation education is based upon two priorities: (1) stimulation of interest in learning through individualized instruction; and (2) recognition that the curriculum must provide educational experiences which lead students into acceptable patterns of citizenship.

In both instances the schools have a difficult assignment. Nevertheless, an outstanding opportunity exists to provide satisfying educational service of the highest order both to students and to society.

The information, suggestions, and recommendations presented in this edition of Handbook on Continuation Education in California are factual, informative, and practical. It is intended for study by teachers, administrators, curriculum personnel, and others responsible for continuation education. These suggestions and recommendations may be used to advantage in developing new programs of continuation education and in strengthening existing programs.

Max Rafferty

Superintendent of Public Instruction

Preface

This edition of the Handbook on Continuation Education in California is primarily the result of need for revising the 1966 "preliminary edition" prepared by the California Council for Continuation Education. It also implements the intent of the Council in that the contents of the preliminary edition have been reviewed, and the changes which have been recommended and approved are now included. A still earlier edition of this handbook appeared in 1950 as a publication in the bulletin series of the California State Department of Education.

Major responsibility for the preparation of the 1966 preliminary edition of the handbook and for the preparation of this final edition was assumed by the following committee:

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Special acknowledgement is made to John W. Voss, Special Consultant, Bureau of Elementary and Secondary Education, for his participation in this project.

The State Department of Education expresses sincere appreciation to all these persons for their assistance in this endeavor.

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Section I
THE STRUCTURE OF CONTINUATION EDUCATION

Although little known by the public, continuation education has long served the needs of many California students. Quietly but effectively, continuation high schools and classes have become an integral part of the California school system.

PURPOSE AND HISTORY OF CONTINUATION EDUCATION

Continuation education has been in existence in California since 1919. Originally, it was regarded as part-time schooling for young people who left the full-time school to help support themselves and their families. However, because of the growth of welfare and social security programs, few young people now leave school from economic necessity. For those employed only part time or unemployed, some communities have been operating excellent programs for long periods of time.

Recent legislation affecting continuation education has been enacted to:

- Support the maintenance of behavioral standards in the regular high schools through imposing limitations on suspensions
- Prevent the severance of minors who are suspended too frequently or who are dropping out of the comprehensive high school from losing necessary educational experiences and training
- Clarify the role of continuation education in meeting the special educational needs of these students

Purpose of Continuation Education

As now defined, continuation education is a program that leads toward a high school diploma; prepares students for entrance into occupational training; and provides some schooling which, accompanying employment, can contribute very much to the individual's immediate and long-term interests. Instruction is completely individualized and is so arranged that a student may enter the program at any time and adopt any schedule pattern without disturbing the program's continuous and effective progress. It emphasizes the development of attitudes and appreciations through the establishment of courteous, respectful relationships with fine teachers in a small, friendly, mature school environment. Its flexibility promotes adaptation of curricular offerings to the performance levels and interests of the students. Credits are issued as earned, and the opportunity for making up work through longer school days is readily possible as individual student interest is kindled or reawakened.

When the Education Code was changed in 1929 to raise the compulsory attendance requirement to the age of sixteen, it retained the provision that allowed some children under the age of sixteen to work. These students were then eligible, under certain conditions, to be exempted from full-time attendance and, in some instances, from part-time attendance. Education Code sections 12157 through 12160 make it clear that some minors under sixteen are eligible to attend part-time continuation education classes; in fact, they must attend such classes under the conditions cited.

Education Code sections 12551 and 12553 make it clear that students under the age of eighteen are compelled to attend school, with some exceptions, until their eighteenth birthday or until they have graduated from high school. These sections are not in conflict with Section 12101, which applies to compulsory attendance for children eight through fifteen years old. Sections 12551 and 12553 compel attendance on a minimum part-time basis. Section 12101 compels attendance on a full-time basis. All three sections contain provisions for exceptions. The central fact is that the compulsory attendance requirement extends from age eight to age eighteen.

Education Code Section 12601 restricts any exemption of those subject to continuation education as set forth in Section 12551 to individuals with serious mental or physical handicaps.

Education Code Section 12751 deals with the enforcement of attendance of those individuals who are subject to continuation education. It places the burden of compliance on the parent instead of the child and requires referral to the district attorney in the district in which the offense occurs. This approach against the parent has been less effective than the approach against the truant, as provided in Section 12408, in which the child's unexcused absences from school are brought to the attention of the juvenile court in the county of residence.

The weakness of legal provisions and their seeming contradictions, along with the failure by the state to provide adequate support for the extra costs of continuation education, have led to noncompliance or only token compliance in many districts. Also, there has been considerable lack of understanding or even comprehension of the nature and scope of the problems of continuation education.

Today there is general agreement that education is for the common welfare, whether it be at the elementary, secondary, or adult level or at the college or university level. There is a growing acceptance of, and increased state financial help for, special education programs at the elementary, secondary, and adult levels. However, except in districts receiving equalization aid, continuation education is not singled out for extra financial support in the same manner as some of the other forms of special education.

The largest single group of students that require attention through continuation education is comprised of those who drop out of full-time school or who are potential dropouts whose problems require that they transfer. Many of these students tend toward antisocial behavior and, as a result, create problems for themselves and for the community. When any decrease in job opportunities for the unskilled workman occurs, dropouts are the last to be hired and the first to be fired. The continuation education program leading to the diploma is important to this group and to society because of its immediate conservation of human resources and its long-term value in improving employability.

Although California is one of the most progressive states in the development of compulsory school attendance and in the establishment of special programs for special groups of students, nearly one third of the students who enter high school drop out before finishing. This high percentage indicates the magnitude of the problem of providing a continuation program to meet the needs of such students. For a number of the reasons cited in the foregoing, dropouts are in greater need of guidance and instruction than are the students who will continue to attend school on a full-time basis.

History of Continuation Education

The first compulsory school attendance law, passed in 1874, required full-time school attendance of all children between eight and fourteen years of age for two thirds of the time school was taught. Legislation in 1911 increased the upper age limit to fifteen years, and in 1919 to sixteen years. The number of days per year that school must be maintained was also increased from time to time to the present minimum of 175 days (California Administrative Code, Title 5, Education, Section 115, d).

The original part-time education law, enacted in 1919, required that high school districts establish and maintain part-time classes for minors over fourteen and under eighteen who did not attend school full time. The compulsory attendance law enacted at the same legislative session extended the law so that full-time attendance was required of minors up to sixteen years of age. Thus, the part-time education law applied, with a few exceptions, to the sixteen- and seventeen-year-old minors. Attendance was required of such students for not less than four hours per week, but the school authorities were authorized to accept in lieu of this attendance a total of not less than 144 hours attendance at convenient seasons throughout the school year.

No other modifications were made in the part-time education law until 1929, when the Legislature enacted a number of changes. The most important of these was the addition of the provision that part-time students who could not give satisfactory proof of regular employment were required to attend special continuation classes for not less than three hours per day during the period of unemployment. Another significant modification required governing boards of high school districts to establish and maintain special continuation classes whenever there were residing within the district 50 or more minors subject to the law. The minimum number of minors for whom classes must be established was fixed by the original law at 12.

Other important changes were made in the continuation law in 1945 and 1947. In 1945 continuation high schools were designated by law as one of the types of high schools that might be established (Education Code, Section 5553). Another provision required governing boards of high school districts to establish and maintain some type of educational program whenever there were any minors residing within the school district who were subject to the law. In districts having 50 or more such minors, continuation classes were required; in districts having fewer than 50, the districts were given wide latitude in the type of educational program that could be offered.

Legislation enacted in 1947 provided that in computing average daily attendance in continuation classes for apportionment, three hours (180 minutes) should constitute a day of attendance instead of the four hours (240 minutes) required in a full-time high school (Education Code Section 5207). Another modification authorized the holding of continuation classes on Saturdays (Section 5207).

After 1947 no significant changes were made in the continuation law until 1965. In that year new legislation ordered that no student be suspended from school for more than ten days in a school year unless he is first transferred to a parental school or to a continuation education class.

Following the regular 1965 legislative session, the special session in 1966 made another change in the law, which permitted school districts to operate separate continuation classes during the same hours that classes for adults were in session, either day or evening. The only change that was effected by this legislative action was the time during which the law permits continuation classes to be held. This was an urgency measure to permit some small districts to meet the requirements imposed by the ten-day suspension limitation. This urgency measure took effect when the governor signed the bill, but it had a termination date which ended its effect on July 1, 1967. After this date all continuation classes or schools were once more to conduct classes between 8 a.m. and 5 p.m. However, the 1967 Legislature deleted the termination date, extended to 20 days the ten-day suspension period allowed prior to transferring a student to continuation classes, and added another ten days if an adjustment transfer were made to another regular high school. It also provided that certain students, approved by the respective county superintendents or district governing boards, might attend a regional occupational center. Such attendance might be in combination with attendance in continuation education classes if in the best interest of the student.

Other 1967 legislation removed the provision for instruction at a place of employment by a duly certified instructor and reduced the limitation on the exemption of students from continuation education from 5 percent of those subject to the program, as defined in Education Code Section 12551, to those whose mental or physical handicaps prevent their benefiting substantially. Also, teachers holding standard teaching credentials with specialization in elementary teaching were authorized to teach elementary-level reading in continuation classes or high schools. An additional incentive for districts to provide continuation education classes was written into the new Education Code Section 12552, which requires the Superintendent of Public Instruction to take steps to enforce compliance with the law establishing these classes.

With the enactment of Education Code Section 5950, the 1967 Legislature declared its intent that continuation education classes should be established and maintained to meet the special education needs of students and to provide (1) an opportunity for the completion of the required academic courses necessary for high school graduation; (2) an individualized instructional program involving occupational orientation or a work-study combination and including guidance, placement and follow-up; or (3) specially designed individualized instruction and intensive guidance services required for those with behavior or severe attendance problems; or (4) a flexible program combining all these features.

Students in Continuation Education

Continuation education serves two well-defined groups of students: those who drop out of school for financial reasons and the much larger group of those who are unadjusted to full-time school. All may be classified as having unusual problems, situations, and responsibilities. For the most part, they may be characterized as those who do not or cannot attend regularly; those for whom a large school fails to provide a happy or constructive environment; those who do not benefit from group learning experiences and who may even limit benefits to others. Also included are students with little interest in the regular school program; students needing remedial work in certain fields; students with limited physical capacity; and students returning to school after long periods of absence. Still other students are those transferring or enrolling late; those needing special guidance, such as habitual truants; those involved in juvenile court actions; those with behavioral problems; those with health problems; and those needing rehabilitation or readjustment training for other reasons.

The use of adult classes for continuation education does not constitute compliance with its requirements. However, in special cases where a properly credentialed teacher is available, continuation students are accepted in such classes in several districts. This practice is good if the assignment of the student has been made by the continuation school counselor, with the approval of the parent, and with careful supervision of the attendance and progress of the student, so that the enrollee may be returned to the continuation program if the arrangements prove unsatisfactory or the work is completed.

Students in continuation classes have the same needs as full-time students for the realization of individual capacities, effective human relationships, economic proficiency, and competent citizenship. However, primary need for most individuals is the high school diploma. It is important because if not acquired within a reasonable time, other patterns of life and responsibilities develop. Later, because of this educational deficiency and modern hiring practices, a chronic welfare status may result.

The educational objectives of continuation education classes may be listed as follows:

- To help the student know himself and understand his relationships with others
- To help the student acquire a high school diploma
- To convince the student that he can be self-supporting and can advance in salary and position through proper training and other preparation
- To help the student practice thrift by paying his debts promptly and saving money
- To help the student develop adequacy in home and family living, including preparation for marriage
- To encourage the student to engage in wholesome recreation
- To encourage the student to practice good health habits and keep himself physically and mentally fit
- To encourage the student to participate in constructive civic activities and to obey the law
- To help the student to widen his knowledge and appreciation of his cultural heritage
- To help the student enter occupational training or find satisfactory employment

Not all students in continuation classes attain these objectives fully because of handicaps that are too severe or too strongly sustained by outside influences. Home factors, prior school experiences, and emotional factors are most frequently involved. In addition are health problems, the urge to buy and drive a car, difficulties with the law, marriage, pregnancy, unmarried motherhood, and so forth.

It must not be assumed, however, that maladjusted students are the only ones served by continuation education. Some students who are superior and well-adjusted enroll in this program for a variety of reasons. Many students attend continuation classes on a voluntary basis, either part time or full time, after they have reached the age limit for compulsory attendance. The more flexible features of the continuation class stimulate greater effort and often revive latent ambitions for educational advancement.

Because of the heavy responsibilities that some continuation students have assumed, they are in even greater need of guidance and instruction than full-time students. Although minors in age, students in continuation classes are frequently faced with many problems as severe as any in adult life; for example, getting and holding a job, handling their earnings (sometimes they are the principal support of a family), and planning their own leisure and recreational activities.

LAWS RELATING TO CONTINUATION EDUCATION

Laws relating to continuation education are established primarily in the Education Code. But there are other pertinent laws in the Labor Code and in the California Administrative Code, Title 5.[1] In addition, certain federal laws affect continuation education in California.

Minors Subject to Continuation Education

The Education Code states which minors must attend continuation classes, how often, and for how long they must attend (Education Code sections 10952, 12551, and 12553). Still, districts may use flexible scheduling determined by the desired outcomes of the continuation program.[2]

The question of what constitutes regular employment arises frequently. This matter has not been sufficiently defined in the law. Since conditions vary, individual cases should be left to the judgment of the administrator of continuation education. Regular employment must involve a genuine remuneration for service in compliance with state regulation regarding the minimum wage for minors. Working for one's parents at home, therefore, is usually not considered regular employment (Education Code Section 12269). Also, regular employment must involve a reasonable number of working hours per day and each week. The number of hours varies in different districts according to local practice. A total of 30 hours' employment per week is generally the minimum amount that school administrators will accept as constituting regular employment. Except in agricultural and homemaking occupations, the number of hours of work and required school attendance may not total more than eight in any day (Section 12704).

Attendance in continuation education classes is required not only of sixteen- and seventeen-year-old minors who have dropped out of school, but also of fourteen- and fifteen-year-old minors under certain conditions (Education Code sections 12252, 12254, and 12266).

Establishment of Continuation Education Programs

The Education Code regulates the establishment and maintenance of continuation education classes and regional occupational centers (Section 5952). With permission, minors may enroll in an occupational center rather than in continuation classes (Section 7455). Many districts, although exempted by the code from establishing continuation education programs, do establish these programs because of their beneficial effects upon the schools and upon the students of the community. Another factor influencing the decision of these districts is the financing provided through the establishment of a necessary small high school. Section 5951 of the Education Code calls for a district to provide guidance, placement, and follow-up services for all minors within the district who are subject to compulsory continuation education.

Continuation high schools are designated as one of the types of high schools that may be established under Education Code sections 5553 and 5554. Continuation classes may be maintained on Saturday (Section 5207). Such classes must be held between the hours of 8 a.m. and 5 p.m. unless the school district maintains classes for adults (Section 5954). Then the governing board of the school district may maintain continuation education classes during such hours and for such length of time during the day or evening as the classes for adults are maintained in their districts. Such classes and schools must provide suitable instruction and be designed to fit the needs of the minors for whom they are established (sections 5955 and 7753).

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[1] See Appendix A (Education Code); Appendix B (California Administrative Code, Title 5); and Appendix D (Labor Code).

[2] See Appendix E: "Provisions for Accomplishing Desired Outcomes in Continuation Education."

Labor Code Provisions Relating to Minors

California's Labor Code has extensive provisions covering the employment of minors who are subject to the compulsory attendance provisions of the Education Code (Labor Code sections 1290--1311 and 1390--1398). The employment of such minors in certain dangerous or injurious occupations is prohibited, and detailed provisions are included relating to hours, records, working conditions, and permits. To enforce the continuation education law properly, school administrators should be familiar with provisions of the Labor Code affecting the employment of minors. A copy of the Labor Code may be obtained from the Office of Procurement, Documents and Publications Section, 8141 Elder Creek Road (P.O. Box 20191), Sacramento 95820.

Federal Laws Relating to Minors

The Fair Labor Standards Act, as amended in later years, contains provisions prohibiting interstate commerce shipment of any goods in the production of which any "oppressive child labor" has been employed. "Oppressive child labor" is defined as the employment of certain minors in any occupation which the United States Secretary of Labor has found to be particularly hazardous. Familiarity of placement officers with the provisions of this law and the regulations made to enforce it are necessary so that continuation students may not be placed unlawfully in hazardous occupations.[3] Bulletins giving full information relating to the hazardous occupations in which employment of minors is forbidden may be obtained from the Wage and Hours and Public Contracts Division of the U.S. Department of Labor, Federal Office Building, 50 Fulton Street, San Francisco, California 94102, or the H. W. Hellman Building, 354 South Spring Street, Los Angeles 90013. Another federal law that relates to the employment of minors is the Walsh-Healey Public Contracts Act, which governs employers working on government contracts in excess of $10,000.

State Board of Education Regulations

Pursuant to the authority granted to it by the Education Code, the California State Board of Education has adopted a number of regulations relating to continuation education (sections 107--113, 115, Article 13, Subchapter 1, Chapter 1, Title 5, Education, California Administrative Code). The regulations cover the following subjects: director of continuation education; programs of guidance, placement and follow-up; records and reports; coordination programs; instruction based on individual needs; accounting plan for minors; apportionments; and separate continuation high schools.

The conditions and standards which must be met by separate continuation high schools are specified in Section 115 of the regulations.

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[3] See Appendix C: "Attendance Accounting in California Continuation High Schools and Continuation Classes." This material contains a chart on child labor laws.

Reports of Continuation High Schools and Classes

All districts required to have continuation schools or classes must file Authorization for a Continuation Education Program. This authorization is part of the District Form, October Report of High Schools. One week after the close of the school year, Form No. SEC-CE must be submitted, together with the district superintendent's certification of compliance Form SEC-CE-DS (California Administrative Code Section 109b). Education Code Section 13564 requires each high school principal to complete the J-19 report if requested by the superintendent of schools of the district. (See Attendance Accounting in California Public Schools, latest edition, California State Department of Education. Appendix A describes the required reports in more detail.)

Reports and certifications of compliance are sent to the county superintendent of schools, who forwards them to the Bureau of Elementary and Secondary Education, State Department of Education, Sacramento.

Education Code Section 802.1 requires that the county superintendent of schools in each county certify to the Superintendent of Public Instruction whether or not each high school district or unified school district under his jurisdiction has complied with the provisions of Section 5952 and sections 8571 and 8572. Districts that do not comply are subject to the withholding of 10 percent of all apportionments.

Credentials Required in Continuation Education

For the different types of service provided in continuation education programs, appropriate credentials are required. In general, the credential requirements are the same as those required for regular secondary schools. Due to the number of subjects frequently offered in one classroom, it is sometimes necessary to qualify teachers holding standard credentials to teach in areas other than their majors or minors (Education Code Section 13192(d). With proper selection of the individual to do the teaching, and in view of the nature and objectives of continuation education, this can be advantageous to the program. The principal of the school must hold a credential authorizing service pursuant to Education Code sections 946 and 13278, and California Administrative Code, Title 5, Section 115(c). Teachers holding a standard teaching credential with specialization in elementary teaching may teach elementary level reading in continuation education classes and continuation high schools (Education Code Section 13190).

For a detailed explanation of all credentials see Subchapter 18, Title 5, California Administrative Code, beginning on page 398.1.

ATTENDANCE ACCOUNTING IN CONTINUATION EDUCATION

In continuation high schools and classes, a day of attendance is three hours (180 minutes). Any number of hours (Education Code Section 11051) may be counted in one day provided that not more than 15 hours of attendance shall be credited in any calendar week for any individual (Section 11053). The average daily attendance for continuation high schools and continuation education classes is computed by dividing the total number of days of attendance by 175 (Section 11402). If a computation of the average daily attendance for allowances or apportionments results in a fraction less than one half of a unit, the next lowest whole number shall be used; but if the fraction is one half or more of a unit, the next highest whole number shall be taken (Section 11254). A district may not count the noon intermission or any "brunch" period as part of a regular or shortened session. However, a district may count time required for passing between class as part of the school day. Ten minutes of passing time is considered maximum.[4]

Continuation High Schools

Pupil attendance is recorded in hours or in actual minutes attended. No absences are shown except in separate continuation high schools which qualify as full-time day schools where absence due to illness or quarantine may be allowed when properly verified. In the computation of hours of attendance, no absence of a pupil is to be charged for apportionment purposes except when such absence is equal to one clock hour.[5]

Continuation Education Classes

Attendance is recorded for pupils in continuation classes in terms of hours or in actual minutes attended. No absences are shown. Verified absence due to illness or quarantine is not allowable for continuation classes maintained in regular day high schools. In the computation of hours of attendance no absence of a pupil is to be charged for apportionment purposes except when such absence is equal to one clock hour.[6]

FOUNDATION PROGRAM FOR SMALL HIGH SCHOOLS

Education Code Section 17663 gives the definition of a necessary small high school. The following tabulation summarizes the foundation program for necessary small high schools (at a rate of 80 cents):

Average daily attendance	Certificated employees	Foundation program
0 - 20	Less than 3	$ 8,100
0 - 20	3	41,400
21 - 40	4	49,500
41 - 60	5	57,600
61 - 75	6	65,700
76 - 90	7	73,800
91 - 105	8	81,900
106 - 120	9	90,000
121 - 135	10	98,100
136 - 150	11	106,200
151 - 180	12	114,300
181 - 220	13	122,400
221 - 260	14	130,500
261 - 300	15	138,600

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[4] Attendance Accounting in California Public Schools (1967 edition). Compiled by Jack T. Erikson, Bureau of Administrative Services. School Business Administration Publication No. 5. Sacramento: California State Department of Education, 1967, p. 51.

[5] Ibid., p. 88.

[6] Ibid., p. 89.

For the purposes of this section, a "certificated employee" is an individual who holds an equivalent full-time position, possesses a credential authorizing service, and performs service in grades nine through twelve in any secondary school (see Appendix H). Any fraction of an equivalent full-time position resulting from the additions performed to determine the figure in the middle column of the foregoing tabulation shall be deemed to be a full-time position. For example, a total of 3.11 would be deemed as 4.

The foundation program established by this section for high schools with an average daily attendance of less than 301 does not apply to any high school established after July 1, 1961, unless the establishment of such schools has been approved by the Superintendent of Public Instruction. (Subsequent establishment of continuation high schools under this section has been approved.)

An example of state aid computation for a hypothetical district having continuation education classes as compared with one having a necessary small high school program is shown in Appendix G.

The former requirement of 30 a.d.a. minimum to qualify as a necessary small high school was repealed in November, 1966.

REQUIRED COORDINATION SERVICES

Coordination between the continuation student and the home, employer, and other agencies concerned with his welfare is specifically required by Education Code Section 5956 and by State Board of Education regulations.[7]

Coordination in continuation education includes the following activities:

- Making all possible adjustments between the student and the home
- Making all possible adjustments between the student, his job training, and his employer
- Studying the information obtained from all contacts for the purpose of developing an instructional program suited to needs of the student
- Advising and assisting teachers regarding educational, employment, social, and home problems of the student
- Counseling with the student regarding educational, employment, social, and home problems
- Seeking opportunities for placement and placement training
- Seeking cooperation of social agencies in promoting the welfare of the student when necessary or desirable
- Maintaining records on placement, follow-up, and placement training

Special Aid for Coordination Service

Special aid for coordination services may be obtained through the State Department of Education. Funds for this purpose are made available by the Vocational Education Section under the California Plan for Vocational Education.

To qualify for special aid for coordination service, a school must submit to the State Department of Education evidence that coordination has been accomplished, including the making of personal contacts in the home and in the place of employment. The following standards must be maintained by a school receiving special aid for coordination service:

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[7] California Administrative Code, Title 5, Education, Section 110.

- At least 50 percent of coordination time in connection with continuation schools and classes must be spent in performing duties called for in the first and second items in the preceding list of coordination activities.
- No more than 10 percent of the time reported may be devoted to office record work relating to coordination.
- Coordination may be conducted only by persons who hold a secondary credential. Coordinators may devote full or part time to coordination. Careful records must be kept of the time devoted to coordination as separate from administration or teaching.
- Report on Authorized Continuation Education Classes (Form SEC-CE) must be submitted within one week after the close of classes for the fiscal year.

To the extent to which funds are available, the state will apportion to school districts 50 percent of the approved coordination costs up to certain limits. Because of the uncertainty of the amount of funds available for reimbursement of coordination costs, it is impossible to predict the amount of state aid that may be apportioned. The following tabulation shows the maximum coordination costs per student which can be approved as a basis for computing reimbursement:

Total enrollment in general continuation classes in the school district	Maximum approved coordination cost per student
1 to 399	$10.00
400 to 999	8.00
1,000 to 1,499	6.00
1,500 to 1,999	4.00
2,000 and over	2.00

Special Funds for Vocational and Continuation Classes

In general, classes in continuation education do not qualify for support under the Interim California Plan for Vocational Education unless they provide not fewer than 140 clock hours of classroom instruction per year. However, homemaking classes for continuation students and classes to increase "civic intelligence" may obtain federal and state vocational education funds for their support.[8] Inquiry as to the latter should be addressed to the State Director of Vocational Education, Sacramento.

WORK PERMITS

Governing boards of high school districts are required by the Education Code to designate an officer to issue a permit to work to each minor who has complied with the provisions of Article 1 of Chapter 7 (sections 12551--12554).

The form of the permit must be prescribed by the State Department of Education (Section 12652). Permits to work issued during the first term expire five days after the opening of the second school term, and permits issued during the last term expire five days after the opening of the first term of the following year (Section 12654).

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[8] See the Interim California Plan for Vocational Education, 1967, sections 1.31(d), 2.34-1(b), 8.33, and 8.43-22.

The employer of a minor subject to compulsory continuation education must require of such minor a permit to work before employing him. The employer must file and retain the permit to work (sections 12701--12702). The employer must, within five days after the beginning of employment of such minor, send a notification of the employment to the officer of the high school board issuing the permit (Section 12703).

The employer must, within five days after any minor subject to compulsory continuation education ceases to be employed by him, send a notification to the person who issued the permit to work that the minor has left his employ (Section 12706).

Conditions Necessary for Work Permits[9]

The employer shall not employ a minor under eighteen years of age for more hours each day that will, if added to the number of hours in school, equal eight hours except in agricultural and homemaking occupations (Section 12704). Minors under eighteen years of age may not be employed more than eight hours in one day or more than 48 hours in one week (Labor Code sections 1391--1394).

The parent, guardian, or other person having control of any minor required to attend continuation classes is made legally responsible for his attendance upon such classes. Penalties are provided for the failure of such parent, guardian, or other person to require his attendance (Education Code sections 12751--12756).

The employer of a minor who is subject to compulsory continuation education is made legally responsible for compliance with the provisions of the Education Code relating to the specified employment conditions, and penalties are provided for his failure to do so (sections 12757--12759).

Work Permit Forms

The State Department of Education has prescribed the form for the permits to work and to employ, for the notification of intention to employ, and for the notice of termination of employment. It has made the forms available without cost to any school district requesting them. The forms may be obtained from the offices of the respective county superintendents of schools. These forms are as follows:

Permit Form. This is a form in quadruplicate consisting of Form B1-3, Permit to Employ (for employer's file); Form B1-3.1, Permit to Work (for the minor); Form B1-3.2, Permit to Employ and to Work (for file of issuing authority); and Form B1-3.3, Permit to Employ and to Work (for school file).

Statement of Prospective Employer (Form B-2). This form constitutes a notification by the employer to the school authorities that the employer intends to employ the minor for certain work at certain hours on certain days and states the days and hours the minor is to attend school. It is signed by the employer. It also contains a statement signed by the parent or guardian that the minor will be employed with the knowledge and consent of the parent or guardian. On the reverse side this form contains space for supplementary information relating to the age, physical condition, and school record of minors fourteen and fifteen years of age who are exempt from attendance at a full-time school.

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[9] See Appendix C.

Notice of Termination of Employment (B-5). This form is to be mailed by the employer to the issuing authority whose signature and address appear on the work permit. For the convenience of the employee, the form is designed for use as a postal card.

Cancellation of Work Permits

Authority for the cancellation of permits is found in the Labor Code, which states that a certificate of permit "shall be subject to cancellation at any time by the Labor Commissioner or by the issuing authority, whenever the commissioner or the issuing authority finds that the conditions for the legal issuance of such certificate or permit no longer exist or have never existed" (Labor Code Section 1300).

Section II

PROCEDURES AND PROBLEMS IN CONTINUATION EDUCATION

Continuation education has its own procedures and problems. This section of the handbook proposes to give information and suggestions helpful to improving procedures and solving problems.

ESTABLISHMENT AND ADMINISTRATION

Every California school district that establishes a program of continuation education must appoint a director of continuation education. The director may have assistants who help him in the organization and administration of the district program of continuation education and guidance, placement, and follow-up. The director will be responsible to the governing board of the school district. (See California Administrative Code, Title 5, Education, Section 107.)

The director may be any full-time certified school employee. The code does not limit the district in the selection.

Basic Tasks

One of the first tasks in the establishment of a continuation education program is the formulation of a philosophy statement setting forth the district's purposes and goals (Education Code Section 5950) and outlining desired outcomes[1] for the students to be enrolled. With this statement as a guide, district policies, procedures, plans for personnel, facilities, materials, and organizational format should follow.

The local governing board may establish one or more of the several types of programs authorized by law, but certain factors will exist under any form chosen:

1. Some students will be working full time and may attend classes for as minimal an amount of time as four hours weekly (Education Code sections 5953 and 12551). The number of hours a minor is compelled to attend school and his hours of work each day may not total more than eight, except in agriculture or homemaking occupations (Section 12704). The four hours are often programmed together so that the student can take his school work in the morning or in the afternoon. This scheduling problem should be kept in mind when choosing the program. Instruction leading toward a high school diploma or contributing directly to the student's employment is usual. Often these two objectives may be accomplished concurrently.

2. Other students will attend the continuation education classes, a regional occupational center, or both for at least three and perhaps as many as five to eight hours daily, five days a week (Education Code sections 12553 and 11053). Most students will probably be in this category.

3. The director of the continuation education program should appoint one or more coordinators, who will be responsible for the programs of guidance, placement, and follow-up service (Education Code Section 5951; California

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[1] See Appendix E.

Administrative Code, Title 5, sections 107--110). The coordinator will also be responsible for instituting a plan to coordinate the student's instruction and training in the school with the home, place of employment, and other agencies. The State Department of Education shall prescribe and enforce standards for the organization and administration of such programs and allow special reimbursement for this service (Education Code Section 5956). Also, records and reports required by the State Department of Education and a statement authorized by the governing board of the district indicating compliance with Education Code Section 5952 are due annually as set forth in the California Administrative Code, Title 5, Section 109.

4. Instruction shall be suited to the needs of the various individuals for whose benefit the program is established (Education Code sections 5950 and 5955). Such classes may be maintained between the hours of 8 a.m. and 5 p.m., Monday through Saturday, except that those districts maintaining classes for adults may offer continuation classes at the same time during the day or evening that such adult classes are held (Section 5954(b)).

5. Continuation classes should be highly individualized through emphasis upon tutorial instruction rather than upon lectures and discussions. Typically, homework is eliminated or kept to a minimum; contracts, conferences, projects, and cycles are used.

Types of Programs for Continuation Students

Local governing boards are given a choice among three types of programs for continuation education students. The two main programs that meet the foregoing requirements have to do with continuation high schools and separate continuation classes. Another program authorized under certain conditions comprises instruction in a regional occupational center.

Separate continuation high schools. Any district may establish and maintain one or more continuation high schools (Education Code Section 5654). It will be classed as a necessary small high school if the a.d.a. is less than 301 (Section 17663). The apportionment rate for necessary small high schools is specified in Section 17664.

A new continuation high school must be approved by the State Department of Education as a condition of the recognition of such a school as a separate continuation high school for apportionment purposes (California Administrative Code, Title 5, Section 115(b)). The continuation high school must be established as a separate administrative unit by resolution of the governing board of the district[2] (Title 5, Section 115(a)). When an application is made, the first step is to send a copy of the resolution, with a covering letter, to the Superintendent of Public Instruction. The governing board shall appoint as a principal of the continuation high school a person who holds a credential authorizing service as principal of a high school (Title 5, Section 115(c); Education Code sections 946 and 13278).

The continuation high school must be conducted for a minimum of 175 days. However, it should be open the same number of days as are the other schools of the district. A.d.a. is figured on a school year of 175 days, which is usually less than the actual number of school days. Absences due to illness or for medical or dental visits may be counted as a.d.a. for apportionment purposes.

A separate continuation high school offers many advantages. It embodies qualities differentiating it from the regular school that justify its establishment and attract and challenge its students. It has a sound program with a different emphasis on the goals of education and a different operational format. In essence it aims to improve attitudes, appreciations, basic skills, and knowledges through the use of individualized instruction, smaller school situations, and the team approach of a specially qualified staff. Contrary to the pattern of the regular school, size and diversity of offerings are inversely related to the effectiveness of the program. For example, a small, separate community or neighborhood continuation high school with one to three teachers and a principal-counselor-coordinator can provide valuable service and achieve substantial progress with its students. Too, the separate school has an environment governed by policies and practices consistent for all its enrollees. School pride and spirit and the feeling of "new opportunity" are additional positive factors. California law stipulates that the basic curriculum will include offerings discussed later in this handbook under "Curriculum." But the school is given wide latitude in choosing other courses. Throughout the state, schools have shown considerable imagination in developing courses geared to the needs of students. Many of the unusual courses come and go for various reasons, including their dependency upon the special interest or inspiration of a teacher or administrator. The regular school subjects persist. Administrators and teachers are urged to remember that the continuation school owes its existence to the fact that it is different from the comprehensive high school and that the differences are chiefly related to methodology, flexibility, personalization of instruction, and a school environment that is warm, friendly, and constructive. The curriculum and methods are not at all suitable for students of very low ability.

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[2] See Appendix F.

Continuation high schools may provide instruction directly related to student jobs. They are also given liberty to evaluate job experience for high school credit. Teachers are encouraged to relate to students in an adult manner so that these young people will be motivated to respond with mature behavior.

Continuation high schools should offer high school graduation to their students. Many students drop out of regular schools to find jobs and, after being asked for a high school diploma by employers, return to continuation high schools to complete the work for the diploma. Continuation schools emphasize three major factors: a high school diploma, basic skills improvement, and the development of attitudes and related characteristics favorable to satisfactory employment and entrance into occupational training.

Separate continuation classes. Though a separate high school has many advantages for the local district and the youth served, the governing board may decide to establish separate continuation classes. Any number of classes may be organized in locations throughout the district. The director-coordinator may use each classroom as a self-contained unit with each teacher responsible for all subjects taught. Since the curriculum is not indicated in the law, course offerings are limited only by teacher proficiencies. Each class may develop its own curriculum in answer to the needs of its students. The teacher typically is the work-coordinator for his own students and visits homes, employers, and other agencies to carry out his functions. Several classes may be operated on one site so that teachers may join forces and teach those subjects in which they feel most competent. It should be noted that it may be more advantageous financially for the district to establish a continuation high school.

Separate continuation classes may evaluate students and grant them credits, but because these classes cannot offer a high school diploma, students must depend upon the administration of another school to accept their credits and grant diplomas. Continuation classes often work closely with adult schools, to which they send their students for graduation. The teacher should establish good communication with both regular and the adult school officials to work out any problems of credits for students.

State funding for separate continuation classes is not as favorable as it is for the separate necessary small high schools. Classes receive regular high school apportionment for only those students who are present each day. Illnesses and visits to the doctor or dentist may not be counted toward accumulation of a. d. a.

Regional occupational centers. Education Code Section 5952 allows the governing boards of high school districts and unified school districts to establish and maintain regional occupational centers under certain conditions. These centers may enroll minors otherwise subject to continuation education in accordance with the provisions of Education Code Section 7455. However, no student may be admitted to a regional occupational center unless the county superintendent of schools or governing board of the district maintaining the center determines that the student will benefit therefrom and approves of his admission to the center (Section 7455).

RELATIONS WITH FULL-TIME SCHOOL AND OTHER AGENCIES

Whether continuation education is conducted in a separate continuation high school or in separate classes, it is essential that cordial, cooperative relations be maintained between those who operate the continuation program and those who operate the program for full-time students. If administrators and teachers of the program for full-time students are made aware of the philosophy and objectives of continuation education, they will be apt to transmit to students who drop out of school a friendly, hopeful attitude that will facilitate their transfer and increase the probability of their success in the continuation program.

Close cooperation between the personnel of the high school attended by full-time students and the continuation school may enable certain continuation students to continue at least some of the courses in which they were enrolled. It will also facilitate the return of some students to school full time, if in their best interest.

An important question of policy arises concerning admission of students to continuation classes or continuation schools. Although a few continuation students will be employed and will be required by law to attend classes at least four hours per week, there will be many not employed and therefore required to attend classes at least three hours per day.

It is usually not feasible for the employed student to go back to the regular high school, except at semester breaks. Even then there is a problem because classmates and friends have moved to the next grade. The student is reluctant to return under such circumstances. However, no hard-and-fast rule can be made, because every student presents a different problem. If the program of the continuation school is more suited to the needs of the student, he should remain there. On the other hand, every effort should be made to influence him to return to high school as a full-time student if there is a probability of his doing better in that situation.

There must be a professional relationship between the teaching and administrative staffs of the continuation and regular schools. Too often, in the desperate hope of doing a good deed and helping a student -- one who probably should have been transferred long before -- a statement is made which uses the continuation school as a threat. This threat obviously does not improve the image of the continuation school or help the staff personnel who receive the student to overcome any resultant prejudices. Transfers of students to and from the continuation high schools should be placed on the same dignified basis as transfers to and from the regular schools. The procedures should be in accordance with sound student-accounting practices. The concept of the continuation school as a dumping ground is an easy one to make; but much effort and time are required to overcome it. In the process it may jeopardize the best interests of staff relationships and the school district. Admission to the continuation school should be regarded as an opportunity and not a penalty. Referrals from the regular schools may best be made to a competent guidance committee that has the authority and the point of view to make the placement of the student in another situation, including the continuation program, on a constructive basis.

The school is only one of a number of public, quasipublic, and private agencies interested in the welfare of youth. The State Department of Industrial Relations is concerned with the enforcement of the provisions of state and federal laws relating to the employment of minors. Close cooperative relationships should therefore be maintained between the school and that department. In nearly every continuation school, there are students who have been brought before the local juvenile authorities. In such cases the continuation school may be an important factor in the rehabilitation of these students.

Close cooperation should also be maintained with the California Youth Authority, the Bureau of Vocational Rehabilitation of the State Department of Education, public employment and welfare agencies, parent-teacher associations, service clubs, churches, United Crusade organizations, and other agencies. The school needs the help of many educational, recreational, and character-building agencies in providing a favorable social environment for continuation students. It cannot do the job alone.

The continuation education program affords an excellent opportunity for the entire school system to build good will. Employers and parents are a cross section of the general citizenry and have close and frequent contacts with those who are handling the continuation education program. Through contacts with employers, who are often in need of information regarding school policies, education in general, and regulations pertaining to work permits, continuation school administrators have an opportunity to get support for school needs.

Everyone who is connected with continuation education -- principals, coordinators, teachers, and students -- should carry on a continuous program of public relations. The good work of the school will thus become known, and this favorable reaction will be reflected in a constantly improving program.

Much work is needed in the school to improve relations with the community and with other schools in the district. Much can be accomplished through inservice training of school counselors, deans, vice-principals, and teachers in the comprehensive high schools, and through speaking at meetings of civic and social groups.

COORDINATION

Coordination in continuation education means, first, the collecting of all possible information about the influences that affect the lives and personalities of continuation students. These influences are chiefly their homes, their jobs, their social and educational environment. Secondly, coordination means the use of this information to help students make adjustments that will assist them in becoming successful, socially responsible, and happy citizens.

An effective way to get the information about the students' lives and problems is to visit their homes and places of employment and to become familiar with their social activities and school records. Valuable information can also be obtained by telephone and by correspondence. The data so obtained become the basis for counseling the students and for helping administrators and teachers to adjust instruction to needs.

The specific activities included in coordination are listed in Section I of this handbook. Broadly speaking, coordination embraces all phases of the continuation education program except general administration and teaching. Coordination is usually performed in varying degrees by all members of the continuation staff. In larger programs special coordinators are often given the major responsibility for coordination. In smaller programs teachers usually devote part of their time to coordination. The latter plan has many advantages. Stimulus to instruction and sympathetic understanding of students are greatly enhanced if teachers have considerable knowledge of the students' environment outside of school. Principals of continuation schools and directors of continuation education in the smaller districts are inevitably called upon to do some coordination as part of their supervision of the program.

Intelligent and sympathetic guidance of continuation students is dependent on the information gathered by coordinators in their contacts with parents, employers, agency staff, and other personnel who are linked in various ways to these students. Proper placement and follow-up are clearly part of the coordinator's job. The good relations of the continuation school, particularly with parents, employers, and social and youth agency personnel, are dependent in the main on contacts that coordinators make with these people. Visits to homes and places of employment afford an excellent means of improving attendance.

Because of the vital part that coordination plays in an effective continuation education program, it is important that coordinators work closely with other personnel and that their advice and help be made available in solving the many complex problems that arise.

COUNSELING AND GUIDANCE

Students in continuation programs have many difficulties; otherwise, they would be attending regular school. The school's responsibility to them and to their parents is to assist the students in becoming able to accept an adult role in society. Counseling by school personnel can assist them in solving some of these difficulties and in accepting those difficulties which cannot be resolved. It is hoped that as a result of the school's effort, the student will find new competence and experience feelings of adequacy. These goals call for a counseling service based on personal acquaintanceship with the student. Often the teacher becomes the person best able to assist the student to reach them.

Enrollment interviews and procedures occupy much of the counselor's time in the larger school systems because students enroll throughout the school year. Students who are being considered for transfer to continuation programs should be informed by the sending school of the positive opportunities in the new program.

Careful guidance techniques and judgments are important in selecting students best suited to benefit from programs in regional occupational centers. Questions to be considered include the following: Can the student succeed in a larger, possibly less personalized environment? Can he get his diploma and be prepared to continue his education along academic lines? Is the school too far away or transportation too scarce? Many students who are transferred from the comprehensive high schools for readjustment are academically oriented. They need help with behavior problems and relationships with others and should not be put into an occupational program that would stifle their academic ability. For example, a 1967 graduating class from a continuation school included 38 students; of these, 31 were admitted to college and 16 received scholarships.

On the other hand, the occupational center may be ideal in certain cases in which either full-time enrollment, or a combination involving continuation classes and, in some instances, part-time employment, is found to be practical.

Procedures for intake interviews vary throughout the state. Some insist that a parent or guardian be present. In some schools the counselor conducts the interview, orients the student to the school, and makes out his program. In smaller schools or classes, the teacher or director programs the student. In some districts a screening committee of guidance personnel determines the student's eligibility for admission; in others, the principal, director, or counselor. For example, San Diego, Berkeley, San Francisco, and Oakland have screening committees, but Richmond and Fresno do not; in these districts principals alone determine eligibility.

There is wide variation in student orientation procedures. One finding of the Continuation Education Project Survey, 1964,[3] by Glen Elder of the University of California, was that students were in need of orientation to continuation schools. Often the students did not understand the goals, purposes, or procedures of the school. Furthermore, they did not see the program as a positive influence toward their own goals until they had attended the school for a long period of time. And so if the time required for positive identification with the purpose of the school can be shortened by an orientation program, everyone will profit. At the beginning of the school year, this program can be handled by all teachers during one or two classes per day for several days. After that, one or more orientation classes, depending upon the size of the school, can take new enrollees for one class per day for as long as needed. The usual range is from one to 15 days.

Many schools provide orientation booklets or materials that explain the purposes of the school, class schedules, attendance procedures, rules of conduct, and so forth. One of the large schools, Snyder Continuation High School of San Diego, conducts an orientation class for new students. They continue to attend this class until the counselor who teaches it dismisses them as adequately oriented to the school. Another school, Samuel Gompers High School of Richmond, uses group counseling procedures in which teachers discuss school program topics such as attendance, credits, goals of school, classroom procedures, and work experience. The orientation program can be an important motivational force in setting goals for and with these students.

A satisfactory counselor-student ratio is basic to the counseling program. In Slums and Suburbs Conant recommends that the ratio in regular high schools be 1:300, and much less in schools with students from low socioeconomic backgrounds.

If it is assumed that the counseling ratio is approximately 1:150, individual and group counseling procedures can function; otherwise the program will be limited.

As in regular schools, educational counseling in continuation schools requires most of the counselors' time. Samuel Gompers High School of San Francisco has indicated that about 75 percent of the counselors' time is taken up with registering and programming students. Because of the many difficulties continuation students have had in regular schools, their academic records need clarification. The students need to know their credits, exact grade level, performance levels, and date of graduation. These interviews, held to clarify the students' records, are very important for setting motivational goals. They are also time-consuming.

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[3] Glen Elder, California Continuation Education Project Survey. Berkeley: University of California, 1964 (unpublished manuscript).

Reprogramming of students is another important phase of the counselors' work. Changes to accommodate students' wishes are common. In an individualized program of instruction, since each student works at his own rate and since most of the enrollees start courses at different times, students finish the work needed for their credit all through the year, even during the first or second week of school (because of work carried over from the preceding year). This arrangement requires checking records and enrolling students in subsequent courses. Because of this arrangement, continuity, recognition of progress, and immediate reward for work completed are very often in evidence; and all these are excellent motivating factors.

In some schools counselors, made responsible for the discipline of students, take on a dual role. Critics of this dual role claim that adequate counseling cannot be done by a person who must assume an authoritative, punitive role. Yet, because of heavy student load, most counselors are barely able to handle educational counseling, let alone personal counseling, even though personal problems affect the student's whole personality. In many cases the disciplinarian role of the counselor affords students the opportunity to understand authority and the student's relationship to it.

One of the difficult tasks faced by a counselor is that of selecting students for employment. Fortunately, because of current social security and welfare programs, economic need is much reduced as a factor. However, the selection of a student who will satisfy an employer and give a good impression of the school is balanced against both the immediate and the long-term aspects of reducing the student's program leading toward graduation. The counselor is the one most aware of the significance of this decision. Few students make a transition directly into the kind of work they will later follow. Nevertheless, once in a paying job, young people tend to assume responsibilities and obligations that make it difficult, if not impossible, to return to school. At some later date, lack of the high school diploma may become a severe handicap.

Another role that the counselor can perform is in vocational guidance. Since many of these students will soon be entering the employment market, they should have the opportunity to know their occupational interests, abilities, and aptitudes. They also need information on procedures involved in obtaining jobs, on additional training, on trade unions, on the functioning of the state employment office, and on the many other facets of becoming a good employee.

Sample tests used to assist the counselor in reaching these goals are the following: (1) interest tests -- Kuder Preference, Strong Vocational Interest, and Lee Thorpe Vocational Interest; (2) ability tests -- General Aptitude Test Battery of California, State Employment Service Test, and Differential Aptitude Test. The State Department of Employment has cooperated in providing testing sessions for senior students and counseling interviews with most students to provide information on employment category status, social security card, and the like. The state's occupational briefs, distributed by the Department of Employment, are up-to-date, excellent reference materials. However, since vocational guidance takes much time, student load is a factor in the implementation and success of this type of program.

Group counseling is another possible service of the counseling staff. Either job or school orientation lends itself to group work. Reduction of anxiety and hostility can also be undertaken by the counseling staff. Group counseling usually requires special training on the part of the counselor. Sample tests used for screening are the Money Problem Check List, the Bell Inventory, and the Minnesota Multiphasic Personality Inventory. McKinley High School of Berkeley sends a group to the psychology department at the University of California for group therapy each week.

In 1955 the California Committee on Continuation Education recommended that testing for reading and arithmetic grade placement be conducted by classroom teachers. Sample tests used are Stanford Achievement, California Achievement, and Wide Range Achievement. At DeWolf Continuation High School in Fresno, teachers use group or individual tests for placement in classroom work. Group intelligence tests, such as the Henmon Nelson and California Test of Mental Maturity, are also administered by the counseling or central office staff.

Counselors may also be involved in work experience programs, which are discussed in another section of this handbook. The work experience program allows for much or little participation by the counselor, depending upon the size of the program.

If a counselor is responsible for attendance supervision within a school where student absenteeism or turnover is high, then the role becomes almost full time because of many contacts with the home by telephone and in person to improve student attendance. Contacts with other agencies are also frequently necessary.

The statement that "every teacher is a counselor" is true in that many teachers in continuation schools are able to establish functioning relationships with their students. Several of the many reasons for this close relationship are the following: (1) these teachers like this type of student; (2) these students have a great need for acceptance and understanding; and (3) the tutorial method lends itself to personal interrelationship.

Some teachers ask students to record their interests and goals on a class card. This information is used by the teachers to acquaint themselves with their students. If class size is kept to 20 students or fewer, the instructors have the opportunity to realize one of the goals of many teachers -- to be an accepting adult who feels that he is assisting students in growth toward assuming adult roles in society.

Counseling duties require that certain facilities be available. Each counselor should have a private, soundproof office and a telephone. The California Guidance Association recommends that for every 100--150 students there should be made available to the counselor the services of an adult secretary for one hour each day.

Requirements and references relating to guidance can be found in the California Administrative Code, Title 5, Education, sections 107--111 and 115; and in the Education Code, sections 5951, 5955, and 5956.

CURRICULUM AND METHODS

The curriculum requirements for continuation schools and classes are found in the California Administrative Code, Title 5, Education, sections 111 and 115; and in the Education Code, sections 5950, 5955, and 7753.

Requirements for separate continuation high schools are the following:

1. A basic curriculum should include all of the following fields: social-civic education, health education, English, mathematics, and occupational information.

2. A supplementary curriculum should include at least three of the following fields: agriculture, arts and crafts, business education, foreign language, homemaking, industrial arts, music, science.

The state-required courses for graduation are offered by all separate continuation high schools in the state. School districts providing continuation classes are concerned with state-required classes for graduation because often these subjects have been failed in regular school by the continuation student.

In a one-teacher school using individualized methods of instruction, the teacher prepares contracts, assignments, and units of instruction for the basic curriculum and for three or more subjects in the supplementary curriculum, depending upon the teacher's training, skills, and interests. In schools with a number of teachers, subjects are divided so that most of the basic subjects, at least, are taught by only one teacher at all levels. Generally, enrollments in continuation schools are highest in English, social-civic education, mathematics, and science -- in that order. Business education, homemaking, music, and arts and crafts come next.

Finding qualified teachers for employment in small continuation high schools becomes more difficult as teachers having the general secondary credential become less available. Teachers holding the standard credential may be employed if their credential includes both major and minor subjects. In this case the district governing board may by resolution, on a yearly basis, authorize the teaching of any subject in grades seven through twelve, except in classes for exceptional children (Education Code Section 13190).

The educational philosophy of continuation high schools is based on preparing students to assume responsible adult roles in society. Some schools have emphasized the importance of the high school diploma; others have stressed attending school to increase specific skills to assist in job competence. The newly enacted Section 5950 of the Education Code further clarifies and reinforces these functions.

Use of Tutorial Method

Glen Elder, Director of Continuation School Project, Institute of Human Development, University of California, states that the continuation schools are attempting to develop two levels of competence in students: (1) competence in basic subjects; and (2) competence in dealing with others. Toward these ends the tutorial method, the most widely used, allows students to assume independence and responsibility in carrying out an educational task. Students are able to set their own pace under this method and exchange interpersonally with the teacher. As many as 80 percent of the continuation students interviewed in the Continuation School Project Survey said that they felt they were treated more like adults in the continuation schools than they had been in the comprehensive high schools.

The tutorial method is used for a number of reasons. If students are to enter classes throughout the school year, as they do, and begin worthwhile, productive work, the program must be individualized. If it is not, students who have been in attendance for some time will lose the attention they should receive because the teacher's time is taken up with the continual attempt to bring new students up to "class level," or the new students are left to do the best they can while the class goes on. When the teacher attempts a compromise, both groups may lose. Another reason for the tutorial method is irregular attendance, which results in no loss in continuity for the student in the tutorial program. Thirdly, the employed student who attends perhaps only one or two days per week can make solid progress toward earning his credits and therefore can feel that the schooling is much more than merely a "compliance with the law." His efforts may be compared with those of an adult working toward his high school diploma by attending night school two evenings per week for two hours, or four evenings a week for two hours.

The tutorial method is practiced more frequently than the group method of teaching because continuation students are often failures who rebel against usual competitive classroom practices. Many of these students pose potential behavior problems, and it is extremely difficult to move them through subject matter in the conventional manner, even in classes of 10 to 15 students. Individual instruction decreases anxiety and hostility and provides more security and opportunity for creativity or independence. However, students interviewed in the California Continuation Education Survey in 1964 indicated that they liked group methods as well as tutorial approaches. Many wished to discuss subject matter on a group basis instead of being restricted to individual instruction. The cycle method provides this opportunity, as do classes in speech, drama, and current events. It should be noted that visual aids, discussions, and many of the practices desirable in the regular schools meet with serious objections from students in a well-operated individualized program because they interfere with their work and slow their progress. Arrangements for individual viewings of visual aid materials, use of other aids, and the like may often be included in the assignments for certain students.

Giving the student material that matches his ability requires an evaluation of his performance level. Sometimes the teacher determines this ability by trial and error, giving short assignments in materials of different levels, but most frequently by administering simple tests. These may be tests constructed by the teacher or standardized tests. The Wide Range Achievement Test and Stanford Achievement Test are among those commonly used for preliminary placement of students in subjects involving arithmetic and English. The Gray Oral Reading Test has been helpful in initial screening. Test data from preenrollment forms can be coded on the enrollment slip for the teacher to give help in placing the student.

Variation in classroom organization is noticeable to one reviewing continuation high school programs. To illustrate, one high school provides for the teaching of many subjects simultaneously by using the tutorial method. Another high school has recently changed from many subjects in one room to only one subject per room in subjects such as English, mathematics, United States history, family sociology, American government, and woodshop. Business education and typing are still combined in one period. This change has been made to allow teachers to do group work when advisable; otherwise, the tutorial method still prevails. In a truly individualized program many students resent the encroachment of group work upon their own tasks. Some teachers enjoy lecture and discussion and feel they are not "teaching" unless this is going on. There is much hard work involved in continuation education. Careful and prompt correcting of papers; constant preparation, improvement, and adaptation of materials for contracts; conference assignments and projects; keeping of accurate records of attendance, student progress, and other related details -- all require definite blocks of time each day. The goal of implementing each student's work according to his level of performance and stage of progress is primary. It is this kind of work by the teacher that brings respect and even admiration from the student.

Apart from classroom organization a major difficulty is making the curriculum meaningful to the students. Most materials available are prepared for academic classes or as prerequisites for advanced courses. The challenge to the teacher to relate these materials to a reality that the students perceive as meaningful is difficult and requires a wealth of experience on the part of the teacher. Creativity and innovation are premium requirements. A watered-down academic program is not meaningful to most of the students.

For these reasons the teacher is constantly in search of materials which can be used by the student in the self-study aspects of the tutorial method. Insofar as possible, assignments should be developed that result in doing, rather than only in answering questions. For example, in social studies the making of a map is much better than just listing states and their capitals, resources, and the like; in mathematics indirect measurements or computations based upon projects are preferable to paper-and-pencil exercises from a book.

Continuation schools carry on remedial education because most of the students are performing below grade level and need to correct their learning habits and improve their performance levels. Most of the separate continuation high schools in the state have remedial reading programs. Remedial work is extensively needed for the culturally deprived, who constitute a large section of enrollment of many continuation schools. Many administrators caution against placing a high concentration of students with behavioral problems in a remedial class in a continuation school and expecting a learning atmosphere. Screening and careful programming become important for these classes. Small classes are essential, according to remedial teachers.

Vocational Orientation Programs

The need for vocational orientation programs is also apparent. Many less able students reach the age of eighteen and drop out of continuation education before graduation, and a large number who graduate seek jobs, not additional training. The California State Department of Employment is willing to provide vocational counseling and testing. It conducts orientation classes on a group basis for seniors and explains the employment service to them. Group counseling by school personnel in vocational orientation is important. If the school system has a work coordinator or if a counselor or teacher is assigned to a work experience program, he can be invaluable in planning materials or conducting classes. The materials used in the Detroit Job Upgrading Project are excellent for group counseling in the vocational field. Continuation schools in Pasadena, Los Angeles, San Diego, and San Francisco insist that working students attend work orientation classes.

Continuation schools have not offered training in the skills of major trade occupations because few students are qualified. However, if facilities are available, prevocational courses may be offered in these subjects: electrical repairing, drafting, commercial art, cooking, sewing, cosmetology, sales, stock work, service station work, and the like. These courses allow students to learn about various jobs and to prepare for advanced training and employment while working toward graduation. A trend today is to provide a supervised work station in which the student learns. A government agency pays the student while he is learning or receiving on-the-job training. However, most continuation schools report that it is difficult to get enough students to enroll in prevocational classes. This situation is good if students are working for their diplomas, which in the long range may have much greater value than an immediate job.

Special classes for pregnant girls have been well received in some schools. The classes may be taught by the school nurse, with assistance from county social welfare and health department personnel. Social workers and doctors may participate with the nurse and others in classroom activities.

Discussion classes in psychology and sociology are among the most popular classes at McKinley High School in Berkeley. Human behavior and social problems are discussed. Another interesting curriculum aspect of the Berkeley continuation school is that minors attend classes with adults in a combined continuation-adult school. According to the California Continuation Education

Project Survey and interviews, 1965,[4] both adults and minors approve of the arrangement; apparently, it develops understanding of each other's point of view.

Extracurricular activities in these schools are related to time spent in school each day. Continuation schools that operate a full day's schedule of six or eight periods have more extracurricular activities. On the other hand, those organized on a half-day schedule for most students do not have many activities.

A controversial curriculum problem concerns the awarding of credits or units on a semester basis or on an individualized basis. Some administrators and teachers prefer the individualized method because it allows students enrolling at any time in the semester to advance through designated work toward completion of a course. Others prefer the semester basis. In the former system students entering even as late as the last two or three weeks in the spring may do work toward credits which will be issued in the fall semester or whenever course requirements are met. Full semester credit may be awarded under either system at the end of the semester or year if the student's work warrants it, even though a prior quarter may have been failed at another school. In common practice, 60 to 80 hours of class attendance and completion of necessary work for the course are required for five semester periods of credit.

Federal Government Participation

Another facet of the curriculum that may have considerable impact on continuation education is participation by the federal government. The Economic Opportunity Act of 1964, which provided for the Job Corps, Neighborhood Youth Corps, and the Work Experience program, and the Elementary and Secondary Education Act of 1965 are designed to assist the family and student from poor socioeconomic backgrounds. Programs helpful to students in continuation education are possible under these acts. Remedial reading, libraries, better audio-visual aids, increased guidance, and work experience programs -- these are a few of the possibilities under these acts if the school district can qualify.

It is possible that under the provisions of the Vocational Education Act of 1963 (P.L. 88-210), certain vocational education programs conducted in continuation schools may be federally aided. Such funds are available for instructional costs, equipment, and the like on a matching basis. For more specific information, a staff member of the Vocational Education Section of the California State Department of Education should be contacted.

When methods are described, terminology occasionally varies. The following definitions are offered for clarification:

- Contract method. This method consists of tutorial instruction with course assignments provided in syllabus form or in a series of separate lesson sheets -- often in several levels or on tracks in the same course to provide for interest and ability differences. It is similar to a correspondence course. There are two halves to the contract: the student's work and the teacher's checking and returning of the work. Unless the latter is done scrupulously, the system has little merit.

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[4] Glen Elder, California Continuation Education Project Survey. Berkeley: University of California, 1965 (unpublished manuscript).

- Conference method. This method is similar to the contract method except that assignments are given verbally by the teacher from day to day. It is intended for students who would reject the contract method because of discouragement over its magnitude and for nonreaders. It attempts to match interests and ability with course content and objectives.
- Project method. This method is commonly used in shop courses and in homemaking classes, but it is often adapted with much success to academic areas. One or more undertakings may be assigned for course credit.
- Cycle method. This method is also termed "daily unit." It is comprised usually of 60 to 80 daily lessons, each complete in itself and not dependent upon the previous day's instruction. It is therefore limited in its use among curricular offerings. A student may enter class at any time and leave with semester credit when he has satisfactorily completed the cycle of the 60 to 80 lessons. Lessons missed may be made up by the conference method or by attenance in class when those units come around again.

ATTENDANCE

As indicated in Section I, a minor subject to the continuation education law is required to attend continuation classes (or a regional occupational center) not less than four hours per week when regularly employed and three hours per day when unemployed (Education Code sections 12551 and 12553). These legal requirements bring about two distinct attendance groups -- the part-time group and the full-time group. Students pass from one group to the other as their employment status changes. This transition should affect not their studies but merely their schedule of attendance.

It should be noted that the Education Code requires a minimum of "not less than four 60-minute hours per week" and "not less than three hours per day" for students in the respective groups. It is a common practice for the four-hour-per-week students to attend for one full school day per week, particularly in rural districts where transportation service is provided on the basis of a full day's attendance. Also, students in the three-hour-per-day group sometimes attend four hours or more per day, even though 15 hours per week is the maximum attendance that may be credited for apportionment purposes. An important motivating factor of the program is the opportunity to make up deficiencies; hence, some schools operate for as many as 38 hours per week.

Employed students should be required to attend classes for those hours and on those days that have been planned with the counselor and set forth in the work permit. This schedule should not be changed except with the approval of the administrator, the counselor, or the teacher in charge. This practice facilitates the crediting of attendance and the checking of absences as well as compliance with labor laws.

Regular attendance presents a less serious problem in the case of the four-hour-per-week students than for the three-hour-per-day students because of the close cooperation between school and employer in the case of the former. The possibility of cancellation of the work permit is usually sufficient to ensure regular attendance of the four-hour-per-week group. A most effective policy is to require that all unexcused absences be made up before a new work permit is issued. The problem is not so simple with full-time students since these students are unemployed. In their case cooperation of the parents is highly important since, under the continuation law, parents are made responsible for compelling the attendance of minors subject to the law. The principal, attendance supervisor, coordinator, or teacher should immediately notify the parents and the employer of a student's absence. Both the parents and the employer can then bring pressure upon the student to get him back into school. The specific causes of truancy should be discovered and, if possible, removed.

Different practices prevail for making up absences. Some schools distinguish between excusable absences and inexcusable absences. In the former case, absences need not be made up; in the latter case, makeup is required. In an individualized program, when a student is absent, whether excused or not, no work is done; hence, the student receives no credit until he does the assigned work. It is that simple. Nevertheless, it is a good practice to encourage students to make up absences due to illness or other cause. Students may wish to attend extra hours to earn credits sooner. This type of makeup is usually a healthy sign that the program is succeeding with the students.

Satisfactory attendance is dependent on many factors. Although compulsory measures must at times be used, they may not in themselves secure more than the physical presence of students in school. Of greater importance is the development of a good continuation program. Inasmuch as the elements of such a program have already been discussed in this handbook, they need only be summarized here. They include the favorable induction and orientation of continuation students into the part-time school; courteous and considerate counseling in all matters relating to their school programs; aid in meeting health and recreational problems; instruction in classes or on projects that will meet individual needs and abilities; placement for certain students in employment that is congenial and promising in terms of personal satisfaction and job success; credit for work experience when such credit is desired and earned; and assistance in meeting school, home, job, and community responsibilities through effective coordination and follow-up programs.

Teacher load is more difficult to determine in continuation education because of types of students enrolled (employed and not employed), variations in attendance, and high turnover of student personnel. One of the most practical methods is to maintain a weekly report of the number of students enrolled for each period of each day. Similarly, the number of students in attendance may be reported; for example, the report could show that 21 were enrolled for first period on Monday and 14 attended. On Tuesday the figures might indicate, correspondingly, 23/15, and so on.

Many of the differences in opinion concerning maximum class size are due to methodology. In well-organized, individualized instructional programs where the testing materials, contracts, projects, and daily units are prepared and in use, class sizes of more than 35 have been operated effectively in regular subject fields under peak-load situations. This condition is not to be recommended, but it is quite possible. On the other hand, teachers using the group lecture-discussion method in regular subjects indicate the necessity of a class size of only 10 to 12. These figures seem reasonable because of the problems contributing to the difficulties of this type of teaching, as already discussed. For best attendance and optimum learning opportunity, enrollment ceilings of 25 in regular classes and of 15 in remedial classes and in other special situations are suggested for classrooms utilizing individualized instruction. This control should generally result in average operating class sizes of around 16 to 20 and 10 to 12, respectively. In very small schools it may be advisable to restrict class size to 15 enrollees.

GRADUATION REQUIREMENTS

Uniform graduation requirements probably are needed because of the mobility of many continuation school students. At present, however, districts in the state require the completion of 150 to 240 semester periods of work for the continuation high school diploma. The lower figure results from subtracting the semester periods of credit in physical education from the districts' requirement of 190 units for graduation from the regular high school. The higher figure represents the requirement for continuation as being the same for the regular high school at the upper limit, as prescribed in the California Administrative Code, Title 5, Section 102. In some continuation schools physical education is required for graduation, and if the course is not given in the school, cooperative arrangements are worked out with community recreation agencies (the YMCA and the like). Other schools substitute health education, home nursing, and occasionally, classroom courses not related to health. The relationship of requirements for graduation from the regular school and from the continuation school needs to be evaluated carefully by each district. Generally, very few problems arise when the required course patterns are the same.

WORK PERMITS

General legal provisions relating to work permits have been stated in Section I. There are, however, a few questions of policy which should be discussed. The work permit is a highly important document, for it serves the twofold purpose of authorizing the minor to accept employment and the employer to hire him. By making an employee of the school district the permit-issuing authority, the law gives to the school representative a check on the type of industry in which the minor is employed, the kind of work to be performed, and the hours of employment and school attendance. The permit provides the school and the State Department of Education with a record of the minor's employment.

Work permits for continuation students are issued, except in a few of the large school districts, by the continuation education authority. This practice has definite advantages. It gives to the school authorities who are most familiar with the needs and abilities of the students the power and responsibility of issuing their permits. If work permits are issued by a central office, the permits for continuation students should be issued only after consultation with the administrators of the continuation school.

In the issuance of work permits, the issuing authority should make certain of the following facts:

- The age of students is verified by school record or by other documentary proof, such as a birth certificate.
- The days and hours the minor is to attend school are clearly stated.
- The combined hours of employment and school attendance do not exceed eight per day or 48 per week.
- Students are not employed before 5 a.m. or after 10 p.m.
- The type of industry and kind of work are not hazardous according to federal and state laws and regulations.
- The social security number, if any, is correctly entered on the permit.

Employers are frequently careless in notifying the school of the termination of a minor's employment. The letter to the employer confirming the issuance of the work permit should emphasize the necessity of immediately notifying the school of the termination of employment. The form, Notice of Termination of Employment (Form B-5), should be enclosed with the letter for the convenience of the employer. A function of the schools' coordination service is to check employment.

Cancellation of work permits is rarely desirable or necessary. The authority to do so, however, is valuable as a means of requiring observance of the school attendance law and the laws relating to the employment of minors.

EVALUATION

The degree of success of any educational program is difficult to measure. This is true of the continuation program. There are, however, a few criteria that can be applied objectively. Regularity of attendance is a valuable measure of the success of the program. Other measures include the following: (1) improved performance in subject matter as compared with work done prior to enrollment in the continuation school; (2) interest in, and progress toward, making up past deficiencies; (3) better attitudes and relationships, as reflected in reduction in number of school and community conflicts and problems; and (4) the tangible expression of a goal, or goals, such as desire to get a diploma, to return to the regular school, achieve a satisfactory school-employment combination, to qualify for further schooling, and the like. Some of the other criteria that have some value in evaluating the success of the program are the number of continuation students who voluntarily attend school for more hours than the minimum required by law and the number of those who are working for credit or certificates of accomplishment in various subject fields.

It is known that in thousands of individual cases, many of the objectives listed in Section I of this handbook have been achieved and that the continuation school has been an important factor in their achievement. The value of the continuation school must be judged not primarily on the extent of knowledge and skills acquired by students but chiefly on its success in imparting good habits of conduct and work; friendly, cooperative attitudes in all relationships; and ability to adjust to the constantly changing demands of life.

The most important single influence in the success of the continuation education program is the interest, understanding, and active support that the chief school executive of the school district gives to it. That this support should be given is a direct corollary of the concept that has become an aim of modern education -- that the public school should provide educational opportunities for all American youth. The voting citizens of tomorrow include not only the two thirds of the high school youth who graduate, but also the one third which does not. To secure the future of our democracy, the school must meet its responsibilities to both groups.

EVALUATION AND ACCREDITATION

Beginning with the 1967-68 school year, Procedures for Appraising the Modern Continuation High School is available through the Western Association of Schools and Colleges.[5] These procedures were developed by the California Continuation Education Association and are designed to assist schools and districts in determining the effectiveness of the statewide program in continuation education. The process is similar in many ways to that undertaken by the comprehensive high schools seeking accreditation, and it produces comparably beneficial results for the continuation high school, the district, and the community. A valuable outcome is the provision for developing a handbook of information that can be used to interpret continuation education to the community. The procedures involve the community, the school staff, and the student population in studying the school's entire program to identify strengths and weaknesses and to develop plans for the maintenance and upgrading of its effectiveness. The complete evaluation culminates in the accreditation of the school for the community which it serves.

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[5] Accrediting Commission for Secondary Schools, Western Association of Schools and Colleges, 1499 Bayshore Highway, Burlingame, Calif.; Leslie W. Hedge, Executive Secretary.

Appendix A

PROVISIONS OF THE CALIFORNIA EDUCATION CODE RELATING TO CONTINUATION EDUCATION

Employment of Principal

946. The governing boards of each school district shall employ a principal for each school under its control.

Saturday Classes

5207. The governing board of any school district authorized or required to maintain continuation education classes may maintain such classes on Saturday.

Designation of High Schools

5553. The high schools of the State are designated as four-year high schools, junior high schools, senior high schools, continuation high schools, and evening high schools. Evening high schools may be designated as adult schools.

(Amended by Stats. 1963, Ch. 887.)

Summer School; "Academic Year" Defined

5554. The governing board of a district maintaining one or more high schools may maintain a summer school at any of such high schools during the period between the close of one academic year and the beginning of the succeeding academic year in accordance with rules and regulations of the State Board of Education and with the prior written approval of the Superintendent of Public Instruction.

The term "academic year" as used in this section means that portion of the school year during which the regular day high school is maintained, which period must include not less than the number of days of teaching required to entitle the district to apportionments of state funds.

Cross Reference: For right of governing board to maintain summer school at junior colleges, see Sec. 5720.

Establishment and Maintenance of Continuation High Schools

5654. Each high school district may, in addition to the schools provided for in Section 5652, establish and maintain one or more continuation high schools.

Cross Reference: For provisions relating to attendance in continuation high schools, see Secs. 11051-11053.

For course of study prescribed for continuation high schools, see Sec. 7753.

For provisions relating to continuation education classes in high schools, see Sec. 5951 et seq.

For provisions regarding continuation high schools, see 5 California Administrative Code Sec. 115.

Persons Eligible to Attend

5655. Any graduate of the elementary schools of this State and any other person who furnishes to the principal of the high school and to the county or to the city superintendent of schools having immediate jurisdiction over the high school, satisfactory evidence of his fitness for high school work, may attend high school in the district in which he resides under such regulations as the high school board may prescribe.

Cross Reference: For further provisions regarding admission, see 5 California Administrative Code Sec. 95.

For provisions concerning residency, see Government Code Sec. 244.

5950. In enacting this article, it is the intent of the Legislature that continuation education schools and classes shall be established and maintained in order to meet the special educational needs of pupils to provide: (1) an opportunity for the completion of the required academic courses of instruction to graduate from high school, (2) a program of individualized instruction that may emphasize occupational orientation or a work-study schedule which follows the intent and purposes of Sections 5955, 5956, and 7753 of this code, or (3) a specially designed program of individualized instruction and intensive guidance services to meet the special needs of pupils with behavior or severe attendance problems, or (4) a flexible program combining the features in (1), (2), and (3). (Ch. 1645)(Eff. 9-2-67)

Establishment and Maintenance of Guidance, Placement, and Follow-up Program

5951. The governing board of each high school district shall establish and maintain a program of guidance, placement, and follow-up for all minors within the district subject to compulsory continuation education.

Cross Reference: For persons subject to compulsory continuation education, see Secs. 12551-12603.

For specific provisions regarding the program, see 5 California Administrative Code Sec. 108.

5952. The governing board of each high school district and each unified school district shall establish and maintain special continuation education classes and may establish and maintain regional occupational centers, in accordance with the provisions of Section 7451, whenever there are any minors residing within the district who are subject to compulsory continuation education; provided, that if there are fewer than 100 students enrolled in grade 12 in any school of the district maintaining that grade, the governing board of the district may apply to the State Department of Education for exemption of that school from the requirements of this section and such exemption may be granted in accordance with rules and regulations that shall be adopted by the State Board of Education to govern the granting of the exemptions. If there is a regional occupational center as provided in Chapter 14 (commencing with Section 7450) of Division 6 within a county, the governing board of any school district within that county may enroll minors, otherwise subject to, and in lieu of, continuation education, in the center in accordance with the provisions of Section 7455. **(Ch. 1645)(Eff.9-2-67)**

5953. Special continuation education classes or classes conducted by a regional occupational center or any combination thereof shall provide at least four 60-minute hours of instruction per week for each minor within the high school district who is subject to compulsory continuation education.

(Ch.1645) (Eff. 9-2-67)

5954. (a) Except as otherwise provided in subdivision (b), such classes shall be maintained between the hours of 8 a.m. and 5 p.m.

*(b) If the school district maintains classes for adults, the governing board of the school district may maintain continuation education classes during such hours and for such length of time during the day or evening as the classes for adults are maintained. (Ch. 103) (1966 First Extraordinary Session-Effective 5-23-66)

*NOTE Subdivision (b) of Section 5954 of the Education Code as amended by Section 1 of this act shall be operative until July 1, 1967, after which it shall have no force or effect.

NOTE: No change in the text, but the entire section is effective indefinitely (Ch. 606) (Eff. 7-10-67)

Suitability of Instruction

5955. Such classes shall provide suitable instruction for the various individuals for whose benefit they are established.

Cross Reference: For further requirement, see 5 California Administrative Code Sec. 111.

Standards and Regulations for Organization and Administration of Programs

5956. The State Board of Education shall prescribe and enforce standards and regulations for the organization and administration of programs of guidance, placement and follow-up, for programs of co-ordination and instruction in continuation education, for the special reimbursement thereof, and for the certification of teachers and co-ordinators for continuation education.

Cross Reference: For State Board of Education, see Constitution Art. IX, Sec. 7.

5957. The governing board of a school district or school districts, as the case may be, maintaining special continuation education classes may accept and expend grants from the federal government or from other public or private sources for the purpose of this article.
(Ch.1645) (Eff. 9-2-67)

Article 2. Enforcement of Courses of Study

8051. The governing board of every school district shall enforce in its schools the courses of study and the use of textbooks and other instructional materials prescribed and adopted by the proper authority.

8052. The governing board of any school district with more than 8,000 pupils in average daily attendance shall prescribe and enforce in the schools a course of study for mentally retarded pupils as defined in Sections 6902 and 6903 of this code.

8053. Each county board of education shall prescribe and enforce a county course of study for mentally retarded pupils as defined in Sections 6902 and 6903 of this code. Such county course of study shall be used in special education programs for mentally retarded pupils conducted by the county superintendent of schools and in school districts with an average daily attendance of 8,000 or less.

8054. The course of study for preschool, kindergarten, grades 1 through 6, and grades 7 and 8 of those elementary districts maintaining grades 7 and 8, shall be prescribed and enforced by the governing board in districts having a city board of education or by the county board of education for districts not having a city board of education.

8055. Except as provided in Section 8054, the course of study for grades 7 through 12 shall be prepared under the direction of the governing board having control thereof and shall be subject to approval as may be required by the state board.

8056. Courses for continuation high schools shall be prepared under the direction of the governing board having control thereof. Insofar as possible courses shall meet the high school requirements set forth in Sections 8571 and 8572 of this code.

8057. A course of study for each adult school shall be prepared under the direction of the governing board of the district maintaining the adult school and shall be subject to approval of the State Department of Education.

CHAPTER 3. REQUIRED COURSES OF STUDY

Article 1. General Provisions

8501. Except as otherwise provided, the provisions contained in this chapter are the requirements for courses of study in grades 1 through 12.

8502. In addition to the course of study requirements set forth in this chapter, the governing board of any school district may include in the curriculum of any school such additional courses of study, courses, subjects, or activities which it deems fit the needs of the pupils enrolled therein.

8503. The adopted course of study shall provide instruction at the appropriate elementary and secondary grade levels and subject areas in personal and public safety and accident prevention; fire prevention; the protection and conservation of resources; and health, including the effects of alcohol, narcotics, drugs, and tobacco upon the human body.

8504. Instruction upon the nature of alcohol, narcotics, restricted dangerous drugs as defined in Section 11901 of the Health and Safety Code, and other dangerous substances and their effects upon the human system as determined by science shall be included in the curriculum of all elementary and secondary schools. The governing board of the district shall adopt regulations specifying the grade or grades and the course or courses in which such instruction with respect to alcohol, narcotics, restricted dangerous drugs as defined in Section 11901 of the Health and Safety Code, and other dangerous substances shall be included. All persons responsible for the preparation or enforcement of courses of study shall provide for instruction on the subjects of alcohol, narcotics, restricted dangerous drugs as defined in Section 11901 of the Health and Safety Code, and other dangerous substances.

8505. Any course of study adopted pursuant to this division shall be designed to fit the needs of the pupils for which the course of study is prescribed.

Article 3. Course of Study for Grades 7 Through 12

8571. The adopted course of study for grades 7 through 12 shall offer courses in the following areas of study:

(d) Mathematics.

(e) Science.

(f) Physical education, unless the pupil has been exempted pursuant to the provisions of this code.

(g) Such other courses as may be prescribed.

8574. The governing board of any school district maintaining a high school shall adopt minimum academic standards for graduation from the high schools within its school district. Such minimum academic standards shall include separate courses of study including, but not limited to, a course of study designed to prepare prospective students for admission to state colleges and the state university and for vocational training. Such standards shall be made available to the public.

8575. The State Board of Education shall prepare, and distribute to each school district maintaining a high school for its consideration, model minimum academic standards for graduation as required by Section 8574 of this code.

10603. The governing board of any school district may suspend or expel, and the superintendent of any school district when previously authorized by the governing board may suspend, a pupil whenever it is established to the satisfaction of the board or the superintendent, respectively, that the pupil has on school premises or elsewhere used, sold, or been in possession of narcotics or other hallucinogenic drugs or substances, or has inhaled or breathed the fumes of, or ingested, any poison classified as such by Schedule "D" in Section 4160 of the Business and Professions Code. (Ch. 1200)

Notification of Law Enforcement Authorities If Student Commits Assault with Deadly Weapon

10605.5. The chief administrative employee at a school shall, prior to the suspension or expulsion of any pupil, notify the appropriate law enforcement authorities of the county or city in which the school is situated, of any acts of the student which may be violative of Section 245 of the Penal Code.

(Added by Stats. 1965, Ch. 1648.)

10607.5. Notwithstanding the provisions of Section 10607, no student shall be suspended from school for more than 20 days in a school year except he shall first be transferred to and enrolled in either one other regular school for adjustment purposes, an opportunity class in his school of residence, an opportunity school or class, or a continuation education school or class.

In the case of transfer to another regular school for adjustment purposes, additional days of suspension are limited to 10.

In a case where an action is pending in juvenile court in regard to a student, or where expulsion is being processed by

(a) English, including knowledge of and appreciation for literature, language, and composition, and the skills of reading, listening, and speaking.

(b) Social sciences, drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, designed to fit the maturity of the pupils. Instruction shall provide a foundation for understanding the history, resources, development, and government of California and the United States of America; man's relations to his human and natural environment; eastern and western cultures and civilizations; and contemporary issues.

(c) Foreign language or languages, beginning not later than grade 7, designed to develop a facility for understanding, speaking, reading, and writing the particular language.

(d) Physical education, with emphasis given to such physical activities as may be conducive to health and to vigor of body and mind.

(e) Science, including the physical and biological aspects, with emphasis on basic concepts, theories, and processes of scientific investigation, and with appropriate applications of the interrelation and interdependence of the sciences.

(f) Mathematics, including instruction designed to develop mathematical understandings, operational skills, and insight into problem solving procedures.

(g) Fine arts, including art, music, or drama, with emphasis upon development of aesthetic appreciation and the skills of creative expression.

(h) Applied arts, including instruction in the areas of home economics, industrial arts, business education, or agriculture, for general education or prevocational or occupational training.

(i) Automobile driver education, designed to develop a knowledge of the provisions of the Vehicle Code and other laws of this state relating to the operation of motor vehicles, a proper acceptance of personal responsibility in traffic, a true appreciation of the causes, seriousness and consequences of traffic accidents, and to develop the knowledge and attitudes necessary for the safe operation of motor vehicles.

(j) Such other studies as may be prescribed by the governing board.

8572. All pupils, except pupils excused, shall be required to attend upon the courses of physical education for a total period of time of not less than 400 minutes each 10 schooldays.

8573. No pupil shall receive a diploma of graduation from grade 12 who has not completed the course of study and met the standards of proficiency prescribed by the governing board. Requirements for graduation shall include:

(a) English.
(b) American history.
(c) American government.

the governing board, a superintendent, or other person designated by him in writing, may extend the suspension until such time as the juvenile court or the governing board has rendered a decision in the action. **(Ch.1645)(Eff.9-2-67)**

Length of School Day

10952. The governing board of each school district shall, subject to the provisions of this chapter (commencing at Section 10951), fix the length of the school day for the several grades and classes of the schools maintained by the district.

11051. No pupil in a high school, other than a pupil in a vocational education program occupationally organized and conducted under federal approval, evening high school, continuation high school, or continuation education class, shall be credited with more than one day of attendance in any calendar day and nothing in this article (commencing with Section 11051) shall be construed to the contrary.

(Ch.1401) (Eff. 8-25-67)

Section 11052 of the Education Code is amended to read:

11052. The minimum schoolday in any high school, except in an evening high school, a regional occupational center, an opportunity school and in opportunity classes, a continuation high school, in continuation education classes, and in late afternoon or Saturday occupationally organized vocational training programs conducted under a federally approved plan for vocational education, is 240 minutes.

(Ch.1401)(Eff.8-25-67)

Minimum School Day for Continuation Education

11053. In continuation high schools and continuation education classes, a day of attendance is 180 minutes of attendance but no pupil in any such school or class shall be credited with more than 15 hours of attendance in any calendar week.

Fractional Units

11254. This section shall apply to all allowances, computations, and apportionments made pursuant to Sections 10951 to 11653, inclusive, Sections 17151 to 18460.1, inclusive, Sections 18654 to 20251, inclusive, Sections 20501 to 21801, inclusive, and Sections 21803 to 22152, inclusive, whichever are in effect.

(a) If any computation of average daily attendance made under, or necessitated by, any provision of Sections 10951 to 11653, inclusive, Sections 17151 to 18460.1, inclusive, Sections 18654 to 20251, inclusive, Sections 20501 to 21801, inclusive, and Sections 21803 to 22152, inclusive, whichever are in effect, results in a fraction of less than one-half of a unit, the average daily attendance shall be taken as the next lowest whole number, except that if such computation results in an average daily attendance of less than one unit, the average daily attendance shall be deemed to be one unit; but if the fraction is one-half or more of a unit, the average daily attendance shall be taken as the next highest whole number.

(b) Whenever any reference is made to a specific whole number of units of average daily attendance said number shall include any fraction above said number which is less than one-half of a unit, and any fraction of one-half or more of a unit above the next lowest whole number.

Cross Reference: For support of public school system, see Constitution Art. IX, Sec. 6.

Computation for Evening High Schools and Continuation Education

11402. The units of average daily attendance in the evening high schools, continuation high schools, and continuation education classes of a district for a fiscal year are the quotient arising from dividing the total number of days of pupils' attendance in such high schools and classes by 175.

Cross Reference: For adult education, see 5 California Administrative Code Secs. 118 et seq., 129.30 et seq.

For continuation education, see 5 California Administrative Code Sec. 107 et seq.

12101. Each parent, guardian, or other person having control or charge of any child between the ages of 6 and 16 years, not exempted under the provisions of this chapter (commencing at Section 12101), shall send the child to the public full-time day school for the full time for which the public schools of the city, city and county, or school district in which the child lives are in session. **(Ch. 1583)**

12102. Any parent, guardian, or other person having control or charge of any minor between the ages of 6 and 16 years who removes the minor from any city, city and county, or school district before the completion of the current school term, shall enroll the minor in a public full-time day school of the city, city and county, or school district to which the minor is removed. **(Ch. 1583)**

Severance of Attendance Regulation

12103. The county board of education of each county may establish, by resolution, the following regulation:

(a) The administration of each private school and public school district of the county shall, upon the severance of attendance by any pupil subject to the compulsory education laws of California, whether by expulsion, exclusion, exemption, transfer, suspension beyond 10 schooldays, or other reasons, report such severance to the county superintendent of schools in the jurisdiction. The report shall include names, ages, last known address and the reason for each such severance.

(b) It shall be the duty of the county superintendent of such county to examine such reports and draw to the attention of the county board of education and local district board of education any cases in which the interests of the child or the welfare of the state may need further examination.

(c) After preliminary study of available information in cases so referred to it, the county board of education may, on its own action, hold hearings on such cases in the manner provided in Education Code Section 10608 and with the same powers of final decision as therein provided.

(Added by Stats. 1965, Ch. 1009.)

Classes of Children Exempted

12151. The classes of children described in this article (Sections 12151 to 12156, inclusive, and Section 12160), shall be exempted by the proper school authorities from the requirements of attendance upon a public full-time day school.

12152. **Children whose physical or mental condition is such as to prevent, or render inadvisable attendance at school or** application to study shall be exempted, and the governing **board of the school district shall require satisfactory evidence of the condition to be furnished.** (Ch.1382)

Residence More Than Two Miles From School

12153. Children residing more than two miles from the schoolhouse by the nearest traveled road shall be exempted, but only upon the written approval of the superintendent of schools of the county, notice of which shall be filed with the clerk or the governing board of the school district.

12154. Children who are being instructed in a private full-time day school by persons capable of teaching shall be exempted. Such school shall, except under the circumstances described in Section 71, be taught in the English language and shall offer instruction in the several branches of study required to be taught in the public schools of the state. The attendance of the pupils shall be kept by private school authorities in a register, and the record of attendance shall indicate clearly every absence of the pupil from school for a half day or more during each day that school is maintained during the year. (Ch. 200)

Certain Mentally Gifted Children

12154.5. Children who are mentally gifted and who are being instructed in a private full-time day school by persons capable of teaching, where all or part of the courses of instruction required to be taught in the public schools of this state is taught in a foreign language with not less than 50 percent of the total daily instructional time taught in the English language, shall be exempted. The attendance of the pupils shall be kept pursuant to Section 12154.

(Added by Stats. 1965, Ch. 1767.)

Instruction by Tutor

12155. Children not attending a private, full-time, day school and who are being instructed in study and recitation for at least three hours a day for 175 days each calendar year by a private tutor or other person in the several branches of study required to be taught in the public schools of this State and in the English language shall be exempted. The tutor or other person shall hold a valid State credential for the grade taught. The instruction shall be offered between the hours of 8 o'clock a.m. and 4 o'clock p.m.

(Amended by Stats. 1959, Ch. 1251.)

Blind or Deaf Children

12156. Any child who is blind or deaf or partially blind or deaf to an extent which renders him incapable of receiving instruction in the regular elementary or secondary schools, but whose mental condition is such as to permit application to study shall be exempted from the provisions of this chapter (commencing at Section 12101), only when he is resident of a city, city and county, or school district which does not maintain special classes for the admission of such pupils and when he may not be admitted to the State School for the Blind, or the State School for the Deaf, but he shall be exempted only upon the written approval of the superintendent of schools of the county.

Cross Reference: For schools and classes for blind or deaf children, see Secs. 8901, 9155, 25601, 25851.

For compulsory education for deaf children, see Sec. 12801.

Vocational Courses

12157. Upon the recommendation of the principal of the school which any minor over the age of 14 years is attending and has been attending during the next preceding school year, the supervisor of attendance, or, if there is no supervisor of attendance, the superintendent of schools having jurisdiction over the place of the school attendance may assign the minor to a vocational course in a place of employment. The employment shall be in lieu of the regular school course which the minor is pursuing.

Permit to Work and Approval of State Superintendent

12158. An assignment to a vocational course shall not be made until the recommendation of the school principal has been approved by the Superintendent of Public Instruction, and until a permit to work has been issued to the minor by the person authorized to issue permits to work. The permit to work shall specify the hours in which the minor shall be required to attend part-time continuation classes.

Return to Regular School

12159. Any minor assigned to a vocational course shall be continued under the jurisdiction of the school last attended and may at any time be returned to the classes therein by the supervisor of attendance making the assignment when in his judgment the educational, physical, or moral interests of the minor will be best served thereby.

Compulsory Part-Time Classes

12160. Children who hold permits to work shall be exempted, but such children shall be subject to compulsory attendance upon part-time classes.

Unemployed Minors Holding Work Permits or Minors Under 16 Years

12201. No minor having a permit to work and no minor under 16 years of age, who is otherwise required by law to attend school, shall be out of school and unemployed for a period longer than 10 consecutive days while the public schools are in session, but shall enroll and attend school.

Cross Reference: For employment of minors under 16, see Labor Code Sec. 1200.

Notice After Minor Ceases to Be Employed or to Attend School

12202. Within five days after any minor has ceased to be employed by any employer, or has ceased to attend any school, the employer or school principal shall, in writing, notify the supervisor of attendance of the school district, in which the minor was employed or has been attending school, giving the latest correct address of the minor known to the employer or principal. The supervisor of attendance shall immediately notify the supervisor of attendance having jurisdiction in the place of the minor's residence, giving the latest known correct address of the minor and stating that he is out of work, or has dropped out of school.

Authority to Issue Work Permits

12251. The superintendent of schools of any city or of any city and county in which any minor resides, or a person authorized by him in writing, may issue to certain minors permits to work. Where the minor resides in a portion of a county not under the jurisdiction of the superintendent of schools of any city, the permit to work shall be issued by the superintendent of schools of the county or by a person authorized by him, in writing.

Minors Between Ages 15 and 16 Years

12252. A permit to work may be issued to a minor under the age of 16 years and over the age of 15 years who has completed the equivalent of the seventh grade of a public school course.

Cross Reference: For employment of minors under 16, see Labor Code Sec. 1200.

Minors Aged 16 or 17 Years

12253. A permit to work may be issued to a minor who is 16 or 17 years of age who is regularly enrolled in a high school or junior college and who will work part time as a properly enrolled pupil in a work experience education course that meets all the requirements of such course as provided in Sections 8351 to 8357, inclusive, of this code.

Minors Aged Between 14 and 16 Years

12254. A permit to work may be issued to a minor under the age of 16 years and over the age of 14 years who holds a diploma of graduation from the prescribed elementary school course. A permit of this class shall be issued only when the parent, or foster parent, or guardian of the minor child presents a sworn statement that the parent or foster parent, or guardian of the minor is incapacitated for labor through illness or injury, or that through the death or desertion of the father of the minor the family is in need of the earnings of the minor and that sufficient aid cannot be secured in any other manner. In no case shall the permit be issued for a period of time to exceed six months from the date of issuance.

The person issuing the permit shall make a signed statement that he, or a competent person designated by him, has investigated the conditions under which the application for the permit has been made and has found that, in his judgment, the earnings of the minor are necessary for the family to support the minor and that sufficient aid cannot be secured in any other manner.

Cross Reference: For employment of minors under 16, see Labor Code Sec. 1290.

Vacation Permits

12255. Vacation permits shall be issued by the superintendent of schools of the city or city and county in which the minor resides or by a person authorized by him, in writing. Where the minor resides in a portion of a county not under the jurisdiction of the superintendent of schools of any city, the vacation permit shall be issued by the superintendent of schools of the county or by a person authorized by him, in writing.

Contents of Vacation Permits

12256. Vacation permits shall contain the name and age of the minor to whom it is issued, and when issued for the regular vacation, the date of the termination of the vacation for which it is issued; and when issued for the regular weekly school holiday, the termination of the school year for which it is issued. For employment in a mill, cannery, workshop, factory, or manufacturing establishment, the age of the minor shall be established pursuant to Section 12261.

Authority to Issue Vacation Permits

12257. For the purpose of issuing vacation permits to minors under 16 years of age during regular summer vacation periods, the governing board of any school district may grant to a minor child a vacation permit or may designate the superintendent of schools so to do upon the submission of records showing the age of the minor pursuant to Section 12261. Permits shall be issued upon forms provided by and under instructions issued by the State Superintendent of Public Instruction.

Minors Between Ages 12 and 16 Years Holding Vacation Permits

12258. Any minor over the age of 12 years and under the age of 16 years who holds a vacation permit may be employed on a regular weekly school holiday, and during the regular vacation of the public school and during the period of a specified occasional public school vacation in any of the establishments or occupations not otherwise prohibited by law.

Work Outside School Hours

12259. The person authorized to issue permits to work may also issue to any minor over the age of 14 years a permit to work outside of school hours for a period of time which when added to the time the minor is required by law to attend school does not exceed eight hours in any one day. The person issuing any permit to work outside of school hours shall immediately notify, in writing, the principal of the school which the minor is attending, and if at any time the teacher of the minor shows to the satisfaction of the person issuing the permit that the school work or the health of the minor is being impaired by the employment, the authority issuing the permit may revoke it.

Application for Permit

12260. No permit shall be issued until the minor accompanied by his parent or guardian, appears before the person authorized to issue the permit and makes application therefor.

Papers to Be Filed Before Permit to Be Issued

12261. No permit shall be issued until the issuing authority has received, examined, approved, and filed, the following papers duly executed:

(a) The school record of the minor giving age, grade, and attendance for the current term signed by the principal or teacher.

(b) Evidence of age, such as the school record of enrollment, or a certificate of birth, or a baptism certificate duly attested, or a passport, or affidavit of the parent, guardian, or custodian of the minor, such as shall convince the officer that the minor is of the age required by law.

(c) The written statement from a prospective employer that work is waiting for the minor and describing the nature of the work.

(d) A certificate signed by a physician appointed by the school board, or by other public medical officer, stating that the minor has been thoroughly examined by him, and, in his opinion, is physically fit to pursue the work specified. No fee shall be charged the minor for the physical certificate.

Cross Reference: For employment of minors under 16, see Labor Code Sec. 1290.

Parent's Oath

12262. The parent, guardian, or custodian accompanying the minor shall make oath that his statement of the name, address, birthplace, and age of the minor as entered upon the application for the permit to work are true and correct to the best of his knowledge and belief.

Procedure for Issuance of Permits

12263. Each application for a permit to work or to employ, or for a certificate of age shall be acted upon within three days after the date of the application. The person authorized to issue permits to work or to employ, or certificates of age, may administer the oath necessary for carrying out the provisions of this chapter (commencing at Section 12101), but no fees shall be charged for administering the oaths or issuing the permits or certificates.

Certificate of Age and Permit to Employ

12264. The person authorized to issue permits to work or to employ may issue to any minor a certificate of age when the minor accompanied by his parent, guardian, or other person in control or charge of the minor, presents to the authority, the evidence of age specified in this article (commencing at Section 12251). The certificate of age shall serve as a permit to employ a minor who is not in attendance upon any California school in the next preceding school term, and who is otherwise required to hold a vacation permit.

Form of Permits or Certificates

12265. All permits to work or to employ, all certificates of age, and certificates of health pursuant to this chapter (commencing at Section 12101), shall be issued on forms prepared and provided by the Superintendent of Public Instruction.

Notice to Person in Charge of Continuation Classes

12266. The authority issuing any permit to work shall immediately notify, in writing, the person in charge of the organization and maintenance of part-time continuation classes of the place of the minor's prospective employment, and the parent or guardian of the minor shall send the minor to the classes designated.

Inspection and Cancellation of Permits

12267. Permits and certificates shall always be open to inspection by attendance or probation officers, by officers of the Division of Labor Law Enforcement, and by officers of the Superintendent of Public Instruction. All permits to work or to employ and all certificates of age shall be subject to cancellation at any time by the Superintendent of Public Instruction, or by the Labor Commissioner, or by the person issuing the permits or certificates whenever any such officer or person finds that the conditions for the legal issuance of the permits or certificates of age do not exist or did not exist at the time the permit was issued. A permit to work shall be revoked by the issuing authority when he is satisfied that the employment of the minor is impairing the health or education of the minor, or that any provision or condition of the permit is being violated.

Cross Reference: For inspection of place of minor's employment, see Labor Code Sec. 1302.

For custody of minors illegally at work, see Labor Code Sec. 1307.

Annual Reports

12268. An annual report of all permits to work and to employ issued during the year shall be made by the issuing authority to the county or city and county superintendent of schools. The reports shall be upon forms prepared and provided by the Superintendent of Public Instruction. The superintendent of schools of each county or city and county shall include in his annual report to the Superintendent of Public Instruction a summary of all such reports.

Working for Parents

12269. In order that children may be disciplined and trained in habits of work and industry by their parents, guardians, or other persons standing in the place of parents, nothing in this chapter (commencing at Section 12101) or in Chapter 7 (Sections 12551 to 12759, inclusive) of this division shall require a permit to work to be issued to any minor or require a permit to employ to be issued to the parent or guardian when the work or intended work to be performed by the minor is for or under the control of his parent or guardian and is performed upon or in connection with the premises owned, operated, or controlled by the parent or guardian. Nothing in this section shall be held to affect existing provisions of law which require permits to work to be issued to minors employed in manufacturing, mercantile, or similar nonagricultural commercial enterprises by their parents or guardians. All other provisions of law relating to compulsory education shall be effective as to the minor.

Children of Farm Employees

12270. Every owner, tenant, or operator of a farm employing thereon as agricultural labor any parent or guardian having minor children in his immediate care and custody shall post at a conspicuous place on the property or place of employment where it may be easily read by those employed, a notice stating that minor children are not allowed to work upon the premises unless legally permitted to do so by law and unless permits to work have been secured by the minor children from duly constituted authorities. No owner, tenant, or operator posting the notice shall be held to have violated the provisions of this code because work has been performed upon the premises by minor children without permits to work unless minors are directly employed by or for him or under his direction or unless the owner, tenant, or operator has knowledge of the employment of minors on premises owned, leased, or operated by him and fails to ascertain if permits to work have been secured by the minors.

Cross Reference: For persons endangering health, life or limb of minors, see Penal Code Sec. 273a.

For custody of minors illegally at work, see Labor Code Sec. 1307.

Authority to Issue Permits to Employ

12301. The person authorized to issue permits to work may issue to any employer a permit to employ any minor who has been granted a permit to work, or, who has been assigned to a vocational course in a place of employment, or to a work experience education course as provided in Sections 8351 to 8357, inclusive, of this code.

Statement of Work for Which Minor Employed

12302. No permit to employ shall be issued except upon a statement signed by the prospective employer that work is awaiting the minor and describing the nature of the work.

Cross Reference: For employer's duty employing minor under 18, see Labor Code Sec. 1299.

Contents of Permit to Employ

12303. The permit to employ shall contain:

(a) The name and address of the employer.

(b) The name, age, and address of the minor.

(c) The kind of work for which the permit is issued.

(d) The place and hours of compulsory part-time school attendance for the minor, or statement of exemption therefrom, the hours of compulsory full-time school attendance for the minor, if the permit is issued for outside of school hours.

(e) The date on which the permit expires.

Employment Without Permit

12304. No person, firm, or corporation shall employ, suffer, or permit any minor under the age of 16 years to work in or in connection with any establishment or occupation except as provided in Section 12501, without a permit to employ, or a vacation permit issued by the proper educational officers in accordance with law.

Cross Reference: For employment of minors under 16, see Labor Code Sec. 1290.

Register of Minor Employees

12305. Every person, firm, corporation, or agent or officer of a firm or corporation, employing minors under the age of 16 years shall keep a separate register containing the names, ages, and addresses of the minor employees, and shall post and keep posted in a conspicuous place in every room where the minors are employed, a written or printed notice stating the working hours per day for each day of the week required of the minors, and shall keep on file all permits to employ, or vacation permits for minors under the age of 16 years. The records and files shall be open at all times to the inspection of school attendance and probation officers and the officers of the Division of Labor Law Enforcement, of the Superintendent of Public Instruction, and of the State Board of Education.

Cross Reference: For inspection of places of employment of minors, see Labor Code Sec. 1302.

For the duty of employer employing minors under 18, see Labor Code Sec. 1299.

Notice of Termination of Employment

12306. All permits to employ shall be kept on file by the employer during the term of the employment. Within five days after the termination of the employment, notification on the forms and in the manner prescribed on the permit to employ, shall be sent by the employer to the supervisor of attendance of the place of the employment. The notification shall contain the latest correct address of the minor known to the employer.

Filing and Return of Vacation Permits

12307. All vacation permits shall be kept on file by the employer during the term of employment of the minors granted the vacation permits, and at the termination of the employment shall be returned to the minors.

Appointment and Compensation

12351. The board of education of any city or city and county shall appoint a supervisor of attendance and such assistant supervisors of attendance as may be necessary for the city or city and county. The board shall fix the compensation, payable from the special school fund of the city or city and county, and shall prescribe the duties of the supervisor and assistant supervisors of attendance, not inconsistent with law.

Certification of Supervisor for City or City and County

12352. In any city or city and county no supervisor of attendance or assistant supervisors of attendance shall be appointed, unless he has been lawfully certificated for the work by the county board of education.

District Supervisors

12353. The board of school trustees of any district of a county may appoint a district supervisor of attendance to act under the direction of the county supervisor of attendance.

Employment by More Than One District

12354. Two or more districts may unite in appointing a district supervisor of attendance and in paying his compensation.

Compensation and Expenses of District Supervisor

12355. The compensation of the district supervisor of attendance and the actual and necessary expenses incurred by him in the discharge of his duties shall be paid from the special school fund of the district.

Certification of District Supervisor

12356. In any district, or districts with an average daily attendance of 1,000 or more school children, according to the annual school report of the last preceding school year, no district supervisor of attendance shall be appointed, unless he has been lawfully certificated for the work by the county board of education.

Appointment of Certain Teachers as District Supervisors

12357. Any teacher employed by a district at the time Chapter 885 of the Statutes of 1921 became effective may, without the special certification required by Sections 12353 to 12357, inclusive, be appointed to act as a district supervisor of attendance of the district and may be paid for the additional service.

Appointment of Deputies

12358. The authority appointing a supervisor of attendance may also appoint and remove at pleasure one or more deputy supervisors of attendance to serve without compensation.

Entry Into Place of Employment

12359. The attendance supervisor of any county, city and county, or school district in which any place of employment subject to the provisions of this chapter (commencing at Sec-

tion 12101) is situated, or the probation officer of the county, may enter into any such place of employment for the purpose of investigating violations of the provisions of this chapter (commencing at Section 12101).

Denial of Entry; Order

12360. If any attendance or probation officer acting under the authority of Section 12359 is denied entrance to such place of employment, any magistrate may, upon the filing of an affidavit by the officer, setting forth the fact that he has good cause to believe that the provisions of this chapter (commencing at Section 12101) are being violated in the place of employment, issue an order directing him to enter the place of employment for the purpose of making the investigation.

Definition

12401. Any child shall be reported as a truant, within the meaning of this article (commencing at Section 12401), who has been absent from school without valid excuse more than three days or tardy in excess of 30 minutes on each of four or more days in one school year.

(Amended by Stats. 1965, Ch. 1648.)

Subsequent Report of Truancy

12402. Any child who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant.

(Amended by Stats. 1965, Ch. 1648.)

Habitual Truant

12403. Any child is deemed an habitual truant who has been reported as a truant three or more times.

Cross Reference: For jurisdiction of juvenile court, see Welfare and Institutions Code Sec. 601.

Subsequent Declaration of Habitual Truancy

12404. Any child who has once been declared an habitual truant and who, in a succeeding year is reported as a truant from school one or more days, or tardy on one or more days without valid excuse, may again be declared an habitual truant.

12405. The attendance supervisor, any peace officer, or any school officer, shall arrest, during school hours, without warrant, any child between 6 and 16 years of age, found away **from his home and who has been reported to him by the teacher, the superintendent of schools, or other person connected with the school department or schools as a truant from instruction upon which he is lawfully required to attend,**

within the county, city, or city and county, or school district.
(Ch. 1583)

12406. The arresting officer shall forthwith deliver the child arrested either to the parent, guardian, or other person having control, or charge of the child, or to the school from which the child is a truant, or, if the child has been declared an habitual truant, he shall cause the child to be brought before the juvenile court of the county.
(Ch.1401)(Eff.8-25-67)

Report by Arresting Officer

12407. The attendance supervisor or other arresting officer shall promptly report the arrest, and the disposition made by him of the child to the school authorities of the city, or city and county, or school district.

Filing of Complaint Against Truant or Disorderly Pupil

12408. If any child in any district of a county is an habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the county superintendent of schools shall request a petition on his behalf in the juvenile court of the county.

(Amended by Stats. 1959, Ch. 1202, and by Stats. 1963, Ch. 317.)

Cross Reference: For complaint where there is a parental school, see Sec. 6507.

Judgment and Detention in Parental School

12409. If the court upon hearing the case finds that the allegations are sustained by the evidence, it may render judgment that the child shall be detained and maintained in a parental school, if there is one in the county, during the remainder of the school term.

(Amended by Stats. 1959, Ch. 1202.)

Cross Reference: For parental school, see Sec. 6501.

12410. If there is no opportunity school or opportunity class in the county, the court, in addition to any judgment it may make regarding the child, may render judgment that the parent, guardian, or person having the control or charge of the child shall deliver him at the beginning of each schoolday, for the remainder of the school term, at the school from which he is a truant, or in which he has been insubordinate or disorderly during attendance, or to a school designated by school authorities. (Ch.1401) (Eff.8-25-67)

Parent's Bond to Secure Attendance of Pupil

12411. If the parent, guardian, or other person having control or charge of the child, within three days after the rendition of the judgment executes a good and sufficient bond to the governing board of the school district with sufficient sureties in the sum of two hundred dollars ($200), conditioned that the child will, during the remainder of the current school year, regularly attend some public or private school in the city, or city and county, or school district, and not be insubordinate or disorderly during his attendance, then the court may make an order suspending the execution of the judgment so long as the condition of the bond is complied with. The bond shall be approved by the judge of the court, and be filed with the secretary of the board of education, or clerk of the board of trustees.

(Amended by Stats. 1959, Ch. 1202.)

Forfeiture of Bond

12412. If the condition of the bond is violated, the court upon receiving satisfactory evidence of the fact in any action brought therefor, shall make an order declaring the bond forfeited, and directing judgment to be enforced.

12413. The governing board of the school district may, at any time within one year after the bond has been declared forfeited. have execution issued against any of the parties to the bond to collect the amount thereof. All money paid or collected on the bond shall be paid into the county treasury as provided for in Section 17152.

(Ch.1401) (Eff.8-25-67)

Investigation of Complaints

12451. The governing board of any school district, shall, on the complaint of any person, make full and impartial investigation of all charges against any parent, guardian, or other person having control or charge of any child, for violation of any of the provisions of this chapter (commencing at Section 12101).

Cross Reference: For persons endangering health, life or limb of minor, see Penal Code Sec. 273a.

Criminal Complaint Against Parent

12452. If it appears upon investigation that any parent, guardian or other person having control or charge of any child has violated any of the provisions of this chapter (commencing at Section 12101), the secretary of the board of education, except as provided in Section 12453, or the clerk of the board of trustees, shall make and file in the proper court a criminal complaint against the parent, guardian, or other person, charging the violation, and shall see that the charge is prosecuted by the proper authority.

Filing and Prosecution of Complaint by Attendance Supervisor

12453. In counties, cities, and cities and counties, and in school districts having an attendance supervisor, the attendance supervisor shall make and file the complaint provided for by this article (commencing at Section 12451), and shall see that the charge is prosecuted by the proper authorities.

Penalties Against Parents

12454. Any parent, guardian, or other person having control or charge of any child who fails to comply with the provisions of this chapter (commencing at Section 12101), unless excused or exempted therefrom, is guilty of a misdemeanor, and, is liable, for the first offense, to a fine of not more than ten dollars ($10), or to imprisonment for not more than five days. For each subsequent offense he is liable to a fine of not less than ten dollars ($10), or more than fifty dollars ($50), or to imprisonment for not less than five days, nor more than 25 days, or to both such fine and imprisonment.

Penalties Against Employers

12455. Any person, firm, corporation, or agent or officer of a firm or corporation that violates or omits to comply with any of the provisions of this chapter (commencing at Section 12101), or that employs, or suffers, or permits any minor to be employed in violation thereof, is guilty of a misdemeanor and is punishable by a fine of not less than fifty dollars ($50), or more than two hundred dollars ($200), or by imprisonment in the county jail for not more than 60 days, or by both such fine and imprisonment, for each and every offense.

Cross Reference: For employment of minors under 16, see Labor Code Sec. 1290.

For duty of employer employing minors under 18, see Labor Code Sec. 1299.

Failure to Produce Permit

12456. A failure to produce any permit to employ, or vacation permit to work, or other permit issued under this chapter (commencing at Section 12101), or to post any notice required by this chapter (commencing at Section 12101) is prima facie evidence of the illegal employment of any minor for whom a permit to employ is not produced.

Penalty for False Statement

12457. Every person authorized to sign any certificate of age or any permit to work or to employ which allows employment of any minor during or outside school hours, during a vacation of the public schools, or upon the regular weekly school holiday who knowingly certifies to any false statement therein, is guilty of a misdemeanor, and is punishable by a fine of not less than five dollars ($5) or more than fifty dollars

($50), or imprisonment for not more than 30 days, or by both such fine and imprisonment.

Disposition of Fines

12458. All fines paid as penalties for the violation of any of the provisions of this chapter (commencing at Section 12101) shall, when collected or received, be paid over by the justice or officer receiving them to the treasurer of the city, or city and county, in which the offense was committed, to be placed to the credit of the parental school fund of the city, or city and county, if there is such a fund, otherwise to the credit of the general school fund of the city, or city and county, or to the county treasurer to be placed to the credit of the school fund of the school district in which the offense was committed.

Jurisdiction

12459. Any judge of a municipal or justice court in which the school district is located, or in which the offense is committed, has jurisdiction of all offenses committed under this chapter (commencing at Section 12101).

Cross Reference: For jurisdiction of juvenile court over habitual truants, see Welfare and Institutions Code Sec. 601.

Court Fees

12460. No fees shall be charged or received by any court or officer in any proceeding under this chapter (commencing at Section 12101).

Construction

12501. Nothing in this chapter (commencing at Section 12101) shall be construed to repeal or in any way modify the provisions of Sections 1298, 1390, 1394, 1395, 1396, and 1397 of the Labor Code.

Attendance Upon Special Classes

12551. All persons under 18 years of age who are too old to be subject to the provisions of Chapter 6 (Sections 12101 to 12501, inclusive) of this division, who have not been graduated from a high school maintaining a four-year course above the eighth grade of the elementary schools, or who have not had an equal amount of education in a private school or by private tuition, who are not disqualified for attendance upon these classes because of their physical or mental condition, or because of personal services that must be rendered to their dependents, and who are not in attendance upon a public or private full time day school, or satisfactory part-time classes maintained by other agencies, shall attend upon special continuation education classes maintained by the governing board of the high school district in which they reside, or by the governing board of a neighboring high school district, for not less than four 60-minute hours per week for the regularly established annual school term.

Cross Reference: For continuation education, see Secs. 5952, 5714.

12552. The complaint of any citizen of a school district that such school district has failed to meet the requirements of providing continuation education classes pursuant to this chapter shall be presented to the county superintendent of the county in which such district is located. If, upon investigation, the county superintendent of schools finds the complaint to be justified, he shall forward the complaint along with the results of his investigation to the Superintendent of Public Instruction who shall take steps to enforce compliance with the provisions of this chapter. **(Ch. 1526)**

12553. Whenever a minor subject to the provisions of this chapter (Sections 12551 to 12759) cannot give satisfactory proof of regular employment he shall attend, for not less than three hours per day, upon special continuation education classes or may attend a regional occupational center, as provided in Section 7455, if he will benefit therefrom, during the period of unemployment. The minimum attendance requirement of three hours per day may be satisfied by any combination of attendance upon special continuation education classes and regional occupational centers.

(Ch. 1645) (Eff. 9-2-67)

12601. The governing board of a high school district shall only exempt from compulsory attendance in the continuation education classes minors who, because of mental or physical handicaps, have demonstrated their inability to benefit to any substantial degree from such classes. **(Ch. 1526)**

Issuance

12651. The governing board of each high school district shall designate an officer of the board to issue in its name a permit to work to each minor enrolled in continuation education classes. He shall also issue a duplicate of the permit for the parent, guardian, or other person having control or charge of the minor, and from time to time such duplicates of the permits as are necessary for filing with his employer.

Cross Reference: For employment of minors under 16, see Labor Code Sec. 1290.

For duty of employer employing minors under 18, see Labor Code Sec. 1290.

Form

12652. The form for the permit shall be prescribed by the State Department of Education.

Qualifications

12653. The permit shall be issued to persons complying with the provisions of Article 1 (commencing at Section 12551) of this chapter.

Expiration

12654. Permits to work issued during the first school term shall expire five days after the opening of the next succeeding school term of the year. Permits issued during the last term of the school year shall remain valid until five days after the opening of the first school term of the succeeding year.

Cancellation

12655. All permits to work or to employ and all certificates of age shall be subject to cancellation at any time by the Superintendent of Public Instruction or by the Labor Commissioner or by the person issuing the permits or certificates whenever such officer or person finds that the conditions for the legal issuance of the permits or certificates of age do not exist or did not exist at the time the permit was issued. A permit to work shall be revoked by the issuing authority when he is satisfied that the employment of the minor is impairing the health or education of the minor or that any provision or condition of the permit is being violated.

Authorization to Employ

12701. The employer of any minor subject to this chapter (commencing at Section 12551) shall require of him a permit to work issued by the governing board of the high school district in which he resides. The permit to work is the authorization of the employer to employ the minor for the period between the date of the issuance of the permit and the date of its expiration.

Cross Reference: For employment of minor under 16, see Labor Code Sec. 1290.

Retention of Permit to Work

12702. No person shall employ a minor under 18 years of age who is too old to be subject to compulsory full-time school attendance and who does not present the permit to work required by this chapter (commencing at Section 12551). The employer shall file and retain permanently the permit to work.

Cross Reference: For duty of employer employing minor under 18, see Labor Code Sec. 1299.

Notification of Employment

12703. The employer of any minor subject to this chapter (commencing at Section 12551) shall, within five days after the beginning of employment, send to the officer of the high school board issuing the permit to work a written notification of the employment. The form of the notification shall be prescribed by the State Department of Education and shall be furnished to the employer by the officer. The employer shall retain and file with the permit to work a copy of the notification.

Maximum Hours of Employment

12704. Except in agricultural and home-making occupations, no employer shall employ a minor under 18 years of age for a greater number of hours each day than will, if added to the number of hours that the minor is compelled to attend school, equal eight hours.

Notification by Principal When Maximum Hours Are Exceeded

12705. The principal of the school which any pupil subject to this chapter (commencing at Section 12551) attends, shall add his hours of compulsory school attendance and employment, and if the sum of the school attendance and employment exceeds eight hours for any day of the week, the principal shall give notification to this effect to any employer who employs the pupil after he has already served during that day eight hours of time in compulsory school attendance and employment combined.

Notice of Termination of Employment

12706. Within five days after any minor subject to this chapter (commencing at Section 12551) ceases to be employed by any employer, the employer shall in writing notify the person who issued the permit to work under which the minor was employed, that the minor has left his employ.

Duties of Parent

12751. Each parent, guardian, or other person having control or charge of any minor required to attend special continuation education classes, shall compel the attendance of the minor upon the classes. He shall retain a copy of the permit to work and shall present it upon request of any officer of the law, or other person authorized to enforce the provisions of this chapter (commencing at Section 12551).

Investigation of Charges

12752. The governing board of any high school district in which a minor resides who violates the provisions of this chapter (commencing at Section 12551) shall, on the complaint of any person, make full and impartial investigation of all charges against any parent, guardian, or other person having control or charge of the minor for violation of the provisions of Section 12751.

Complaint

12753. If it appears upon the investigation that any parent, guardian, or other person having control or charge of the minor has violated the provisions of Section 12751, the clerk of the board, or other person authorized by the board to bring such actions, shall make and file in the proper court a criminal complaint against the parent, guardian, or other person having control or charge of the minor, charging the violation, and shall see that the charge is prosecuted by the proper authorities.

Filing and Prosecution of Complaint by Attendance Supervisor

12754. In cities, and in cities and counties, and in school districts having an attendance supervisor, the attendance supervisor shall make and file the complaint provided for in this article (commencing at Section 12751), and shall see that the charge is prosecuted by the proper authorities.

Action Against Employer

12755. The clerk of the high school board, a supervisor of attendance, or other person authorized by the board shall bring an action against any person, firm, corporation, or agent or officer of a firm or corporation that employs a minor in violation of the provisions of this chapter (commencing at Section 12551).

Penalties Against Parent

12756. Any parent, guardian, or other person having control or charge of any minor subject to this chapter (commencing at Section 12551) who fails to perform any of the duties imposed upon him by the provisions of Section 12751 is guilty of a misdemeanor, and is liable for the first offense to a fine of not more than ten dollars ($10), or to imprisonment for not more than five days. For each subsequent offense he is liable to a fine of not less than ten dollars ($10), nor more than fifty dollars ($50), or to imprisonment for not less than five days, nor more than 25 days, or to both such fine and imprisonment.

Penalties Against Employer

12757. Any person, firm, corporation, or agent or officer of a firm or corporatin, that violates or omits to comply with any of the provisions of this chapter (commencing at Section 12551), or that employs or suffers any minor under 18 years of age who is too old to be subject to compulsory full-time school attendance to be employed in violation thereof, is guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars ($50), nor more than two hundred dollars ($200), or by imprisonment in the county jail for not more than 60 days, or by both such fine and imprisonment for each and every offense.

Cross Reference: For employment of minors under 16, see Labor Code Sec. 1290.

For duty of employer employing minors under 18, see Labor Code Sec. 1299.

Failure to Produce Permit

12758. Failure to produce a permit to work and a duplicate of the written notification of employment sent to the officer or the high school board are prima facie evidence of the illegal employment of any minor whose permit to work is not produced.

Disposition of Fines

12759. Any fine collected under this chapter (commencing at Section 12551) shall be paid into the high school fund of the high school district in which the minor resides.

Qualification for Employment as Principal

13278. No person shall be employed as principal of a school of six or more teachers, including the principal, unless he is the holder of a valid teacher's credential and either a valid school administration credential of the same grade as the school to be administered or a valid standard supervision credential authorizing service as a principal of a school of the same grade as the school to be administered.

(Amended by Stats. 1963, Ch. 1033. Effective June 26, 1963; operative January 1, 1964.)

Cross Reference: For minimum standard for school administrator's credential, see Sec. 13140.

Annual Report of High School Principals

13564. The principal of each high school, when directed by the city or district superintendent of schools, shall make an annual report to such superintendent, or, if no superintendent is employed in the district, to the county superintendent of schools, on forms furnished by the Superintendent of Public Instruction.

(Amended by Stats. 1965, Ch. 533.)

Cross Reference: For provisions relating to withholding salaries until reports are filed, see Sec. 13529.

For liability of one who refuses or wilfully neglects to make required reports, see Sec. 13001.

For duty of Superintendent of Public Instruction to furnish blank forms to teachers and officers of public schools, see Sec. 253.

Necessary Small High School Defined

17663. A necessary small high school for the purposes of Section 17664, is a high school with an average daily attendance of less than 301, or a junior high school with an average daily attendance of less than 75 in grade nine, which comes within any of the following conditions (except that a single high school maintained by a unified district formed under the provisions of Sections 3001 to 3451, inclusive, or formed under Sections 813, 1481 to 1493, inclusive, 2811 to 2931, inclusive, 13005, 13554, and 21802, or a high school maintained by any district for the exclusive purpose of educating continuation, juvenile hall, physically handicapped, or mentally retarded pupils shall be considered a necessary small high school):

(a) The projection of its future enrollment on the basis of the enrollment of the elementary schools in the district shows that within eight years the enrollment in high school in grades 9 through 12 will exceed 300 pupils.

(b) Any one of the following combinations of distance and units of average daily attendance applies:

(1) The high school had an average daily attendance of less than 100 in grades 9 through 12 during the preceding fiscal year and is more than 15 miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 20 miles or 25 percent of the pupils would be required to travel 30 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(2) The high school had an average daily attendance of 100 or more and less than 150 in grades 9 through 12 during the preceding fiscal year and is more than 10 miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 18 miles or 25 percent of the pupils would be required to travel 25 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(3) The high school had an average daily attendance of 150 or more and less than 200 in grades 9 through 12 during the preceding fiscal year and is more than 7½ miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 15 miles or 25 percent of the pupils would be required to travel 20 miles one way from a point on a well-traveled road nearest their homes to the nearest other public high school.

(4) The high school had an average daily attendance of 200 or more and less than 300 in grades 9 through 12 during the preceding fiscal year and is more than five miles by well-traveled road from the nearest other public high school and either 90 percent of the pupils would be required to travel 10 miles or 25 percent of the pupils would be required to travel 15 miles to the nearest other public high school.

(c) Topographical or other conditions exist in the district which would impose unusual hardships on the pupils if the number of miles specified above were required to be traveled. In these cases, the Superintendent of Public Instruction may, when requested, and after investigation, grant exceptions from the distance requirements.

(d) The Superintendent of Public Instruction has approved the recommendation of a county committee on school district organization designating one of two or more schools as necessary isolated schools in a situation where the schools are operated by two or more districts and the average daily attendance of each of the schools is less than 300 in grades 9 through 12.

(Repealed and added by Stats. 1959, Ch. 1251; amended by Stats. 1961, Ch. 887. In effect June 18, 1961; operative July 1, 1961.)

17664. (a) For each district on account of each necessary small high school the Superintendent of Public Instruction shall make one of the following computations selected with regard only to the number of certificated employees employed or average daily attendance, whichever provides the lesser amount:

(1) For one which has an average daily attendance during the fiscal year of less than 21 and for which at least three certificated employees were employed full time, he shall compute forty-one thousand four hundred dollars ($41,400).

(2) For one which has an average daily attendance during the fiscal year of 21 or more and less than 41 and for which at least four certificated employees were employed full time, he shall compute forty-nine thousand five hundred dollars ($49,500).

(3) For one which has an average daily attendance during the fiscal year of 41 or more and less than 61 and for which at least five certificated employees were employed full time, he shall compute fifty-seven thousand six hundred dollars ($57,600).

(4) For one which has an average daily attendance during the fiscal year of 61 or more and less than 76 and for which at least six certificated employees were employed full time, he shall compute sixty-five thousand seven hundred dollars ($65,700).

(5) For one which has an average daily attendance during the fiscal year of 76 or more and less than 91 and for which at least seven certificated employees were employed full time, he shall compute seventy-three thousand eight hundred dollars ($73,800).

(6) For one which has an average daily attendance during the fiscal year of 91 or more and less than 106 and for which

at least eight certificated employees were employed full time, he shall compute eighty-one thousand nine hundred dollars ($81,900).

(7) For one which has an average daily attendance during the fiscal year of 106 or more and less than 121 and for which at least nine certificated employees were employed full time, he shall compute ninety thousand dollars ($90,000).

(8) For one which has an average daily attendance during the fiscal year of 121 or more and less than 136 and for which at least 10 certificated employees were employed full time, he shall compute ninety-eight thousand one hundred dollars ($98,100).

(9) For one which has an average daily attendance during the fiscal year of 136 or more and less than 151 and for which at least 11 certificated employees were employed full time, he shall compute one hundred six thousand two hundred dollars ($106,200).

(10) For one which has an average daily attendance during the fiscal year of 151 or more and less than 181 and for which at least 12 certificated employees were employed full time, he shall compute one hundred fourteen thousand three hundred dollars ($114,300).

(11) For one which has an average daily attendance during the fiscal year of 181 or more and less than 221 and for which at least 13 certificated employees were employed full time, he shall compute one hundred twenty-two thousand four hundred dollars ($122,400).

(12) For one which has an average daily attendance during the fiscal year of 221 or more and less than 261 and for which at least 14 certificated employees were employed full time, he shall compute one hundred thirty thousand five hundred dollars ($130,500).

(13) For one which has an average daily attendance during the fiscal year of 261 or more and less than 301 and for which at least 15 certificated employees were employed full time, he shall compute one hundred thirty-eight thousand six hundred dollars ($138,600).

(14) For one which has an average daily attendance of less than 21 and for which fewer than three certificated employees were employed, he shall compute eight thousand one hundred dollars ($8,100). for each of the teachers employed in the school.

(b) For each district on account of each small high school not determined to be a necessary small high school under Sections **17663, 17663.5, and 17663.7, he shall make one of the** following computations, whichever applies:

(1) If the total of the units of average daily attendance in the district during the fiscal year is less than 301, he shall multiply the units of average daily attendance during the

fiscal year in the school by four hundred sixty-two dollars ($462).

(2) If the total of the units of average daily attendance in the district during the fiscal year is more than 300, he shall multiply the units of average daily attendance during the fiscal year in the school by four hundred seventy-two dollars ($472).

For the purposes of this section a "certificated employee" is an equivalent full-time position of an individual holding a credential authorizing service, and performing service in grades 9 through 12 in any secondary school. Any fraction of an equivalent full-time position shall be deemed to be a full-time position.

The foundation program established by this section for high schools with an average daily attendance of less than 301 shall not apply to any high school established after July 1, 1961 unless the establishment of such schools has been approved by the Superintendent of Public Instruction. (Ch. 1209) (Eff. 8-15-67) (Operative 7-1-67)

Appendix B

PROVISIONS OF THE CALIFORNIA ADMINISTRATIVE CODE, TITLE 5, RELATING TO CONTINUATION EDUCATION

107. Director of Continuation Education. The governing board of each school district in which compulsory continuation classes are established as required or authorized by law shall provide a director of continuation education and such assistants as may be necessary who shall be responsible for the organization and administration of the district program of continuation education and guidance, placement, and follow-up.

108. Programs of Guidance, Placement and Follow-up. The guidance, placement, and follow-up service, established shall provide:

(a) Individual counsel in matters dealing with educational, occupational, social, and civic problems.

(b) Assistance in procuring suitable employment.

(c) Visitation of pupils at places of employment to determine the effectiveness of the guidance and placement service.

(d) Evaluation of the pupil's past programs of instruction.

109. Records and Reports. (a) It shall be the duty of the individual in charge of the service of guidance, placement, and follow-up to keep such records and reports as shall be required for the annual report prescribed by the State Department of Education.

(b) The annual report shall contain a statement authorized by the governing board, that the district has, during the current school year, complied with Education Code Section 5952.

(c) The governing board of a high school district or unified school district may, as permitted by Education Code Section 5952, apply for exemption from the requirement of maintaining special continuation education classes. The application shall describe the district's plan to provide instruction for pupils subject to continuation education. The State Superintendent may grant an exemption to extend not longer than the current school year.

NOTE: Authority cited: Section 152, Education Code. Reference: Section 5952, Education Code.

History: 1. Amendment filed 4-20-66 as an emergency; effective upon filing (Register 66, No. 10).
2. Certificate of Compliance—Section 11422.1, Government Code, filed 6-15-66 (Register 66, No. 18).

110. Coordination Programs. The governing board of each school district maintaining continuation education classes shall set up a plan to coordinate the pupils' instruction and training in the school with the home, employment, and other agencies and shall designate one

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or more individuals as coordinators. Such plan of coordination shall include, as a minimum, the following functions:

(a) Assisting in the development of the program of instruction to meet the pupils' needs, through visiting places of employment and analyzing work activities.

(b) Supplying pertinent information regarding pupils' needs.

(c) Effecting and recording cooperative agreements with parents and employers regarding instruction.

(d) Evaluating individual programs of instruction.

111. **Instruction Based on Individual Needs.** The programs of instruction in continuation education shall be based upon individual needs as determined by the findings of the counseling and coordination services.

112. **Accounting Plan for Minors.** The State Department of Education shall devise for high school districts a plan of accounting for all minors which may be used in such high school districts as are subject to attendance on compulsory continuation education classes.

113. **Apportionments.** No high school district shall be entitled to receive any apportionment of funds on account of attendance in continuation education classes unless such district shall have complied fully with these standards prescribed by the State Board of Education for the organization and administration of programs of guidance, placement, and follow-up, for programs of coordination and instruction in continuation education, and for the certification of teachers and coordinators for continuation education.

115. **Separate Continuation High Schools.** (a) The continuation high school must be established as a separate administrative unit by resolution of the governing board of the school district.

(b) An application for the establishment of any new continuation high school must be approved by the State Department of Education as a condition to the recognition of such school as a separate continuation high school for apportionment purposes.

(c) The governing board of the school district shall appoint as principal of the school a person who holds a credential authorizing service as principal of a high school.

(d) A continuation high school shall be conducted for not less than 175 days during a school year.

(e) In each continuation high school there shall be provided the following curriculum:

(1) A basic curriculum including all of the following fields:

(A) Social-civic education (including citizenship)
(B) Health education
(C) English
(D) Mathematics
(E) Occupational information

(2) At least three of the following fields:

- (A) Agriculture
- (B) Arts and crafts
- (C) Business education
- (D) Foreign language
- (E) Homemaking
- (F) Industrial arts
- (G) Music
- (H) Science

(f) Continuation high school pupils who are awarded diplomas of graduation shall have completed the minimum state requirements for such graduation.

History: 1. New section filed 4-27-48 (Register 12, No. 5).
2. Amendment filed 5-22-64; effective thirtieth day thereafter (Register 64, No. 11).
3. Amendment filed 4-20-66 as an emergency; effective upon filing (Register 66, No. 10).
4. Certificate of Compliance—Section 11422.1, Government Code, filed 6-15-66 (Register 66, No. 18).
5. Subsection (g) repealer filed 11-21-66; effective thirtieth day thereafter (Register 66, No. 41).

Appendix C

ATTENDANCE ACCOUNTING IN CALIFORNIA CONTINUATION HIGH SCHOOLS AND CONTINUATION CLASSES

Administrators responsible for attendance accounting in continuation high schools and classes must know the laws governing issuance of work permits and the laws governing child labor. Therefore, the following charts are included in this appendix to make available the most pertinent sections of these laws. These charts have been reproduced from the attendance accounting manual recently published by the State Department of Education (Attendance Accounting in California Public Schools, 1967 edition, School Business Administration Publication No. 5, pp. 95-97).

INFORMATION RELATING TO ISSUANCE OF WORK PERMITS

This chart is intended for use as a quick reference for work permit issuing authorities. It will be more helpful if used in conjunction with the *Digest of California Child Labor Laws*, published by the division of Labor Law Enforcement, 455 Golden Gate Ave., San Francisco 94102, and *Child Labor Provisions of the Fair Labor Standards Act*, Child Labor Bulletin No. 101, published by the U. S. Department of Labor, Wage and Hour and Public Contracts Division.

1	2	3	4	5	6	7
Work permit form number	Time or date of issue	Time or date of expiration[1]	Age group	Days on which work is authorized[2]	Type of work[4]	Hours of work[5]
PSA-6 (E.C. 12265)	During school term	Last day of school term E.C. 12256	Twelve to eighteen years E.C. 12258	Any days school is not in session E.C. 12258	Any work not prohibited by state or federal law. (Consent must be secured from the Labor Commissioner for theatrical, modeling, radio, television, or recording work) L.C. 1395 L.C. 1396	Between 5 a.m. and 10 p.m. except in cases where state laws specifically note other hours. L.C. 1391 L.C. 1393
	After last day of school term but prior to June 30	Last day of summer vacation E.C. 12256				
	After June 30 but prior to termination of summer vacation					
B1-3 (E.C. 12265 and 12652)	During first term of school	Five days after opening of next succeeding term E.C. 12654	Fourteen to eighteen years E.C. 12157 12254 12702	Any days.[3] When work is on school days the hours of work and school combined must not exceed 8 in any day or 48 in any week. E.C. 12259 L.C. 1391		
	During second term of school					
	During summer vacation					
PSA-7	At any time	Any date prior to eighteenth birthday	Sixteen to eighteen	Any days	Usually, but not limited to, agriculture	

Abbreviations: E.C. = Education Code section; L.C. = Labor Code section; F.L.S.A. = Fair Labor Standards Act.

[1] PSA—6, PSA—7 permits (and B1—3 permits for minors fourteen and fifteen years of age) may be canceled at any time. (E.C. 12267 and 12259).
B1—3 permits issued to minors sixteen and seventeen years of age may be canceled when it is found that legal conditions for employment do not or did not exist. (L.C. 1300)

[2] If work is under Fair Labor Standards Act, a fourteen- or fifteen-year-old minor may not be employed more than 3 hours on a school day or more than 18 hours during a school week, such hours of work to be between 7 a.m. and 7 p.m. On nonschool days the limitation of work is 8 hours per day and 40 hours per work week (page 3, question 8, Child Labor Bulletin No. 101).

[3] For exception see L.C. 1394.

[4] For exceptions see pages 2 and 4, questions 5, 6, 7, 9 in Child Labor Bulletin No. 101. See L.C. 1290 through 1296.

[5] For exceptions see L.C. 1297, 1298, and 1394 through 1397.

CHILD LABOR LAWS

The chart below presents pertinent points of the state and federal laws governing the employment of minors in California.

The statements preceded by an asterisk (*) summarize selected provisions of the California laws as contained in the Labor Code, the Education Code, and Orders of the California Industrial Welfare Commission.

The statements preceded by the number symbol (#) summarize selected child labor provisions of the United States Fair Labor Standards Act which (1) prohibit the shipment in interstate commerce or in foreign commerce of goods produced in establishments in the United States in or about which oppressive child labor has been employed within 30 days prior to the removal of the goods; (2) prohibit the employment of oppressive child labor in interstate or foreign commerce or in the production of goods for such commerce.

	For all minors under age eighteen	Minors—ages sixteen and seventeen	Minors—ages fourteen and fifteen	Minors—ages twelve and thirteen
School attendance	*Required unless a high school graduate.	*If regularly employed and not a high school graduate, must attend continuation school at least four hours a week. *When not regularly employed and not a high school graduate, must attend continuation school at least three hours per day.	*MUST ATTEND FULL-TIME SCHOOL For few exceptions for minors fourteen and fifteen years of age, see E.C. 12252 and 12254.	
Work permits	Required.			
Permits to employ		*Required on days schools are in session		
Hours of work	*Daily maximum, 8 hours including time spent in school. *Weekly maximum, 48 hours #See column Minors—ages fourteen and fifteen.	*Exception: no limitation in agricultural, horticultural, viticultural, domestic labor, or survey work as a part of a survey crew in the field.	*May be employed after school and on nonschool days. #When school is in session, daily maximum 3 hours; weekly maximum, 18 hours. #When school is not in session, daily maximum, 8 hours; weekly maximum, 40 hours. #Outside school hours only.	*May not be employed on days school is in session. See text for exceptions in theatrical employment. #Minors of these ages may not be employed in employment subject to F.L.S.A. See exceptions under Occupations below.
Spread of hours	*Work must be performed between 5 a.m. and 10 p.m. *Exception: public messenger service must be performed between 6 a.m. and 9 p.m. #See column Minors—ages fourteen and fifteen.		#Work must be performed between 7 a.m. and 7 p.m.	

Occupations	Prohibited: *For girls, public messenger service and street occupations. *All minors, selling or serving alcoholic beverages (Section 46 of the Alcoholic Beverage Control Act, applying to all minors under twenty-one years of age). #May not be employed in: a. Explosives plants. b. Motor vehicle occupations. c. Mining occupations. d. Logging and sawmilling occupations. e. Power-driven woodworking machine and power-driven metal forming, punching, and shearing machine occupations. f. Occupations involving exposure to radioactive substances. g. Power-driven hoisting apparatus occupations. See Child Labor Bulletin No. 101 for details.		May not be employed: *In hazardous occupations *In public messenger service *In construction work *In delivering goods from motor vehicles *In operating auto or truck *In bowling alley, pool or billiard room *In vicinity of moving machinery *For more detailed list of hazardous occupations prohibited by state law, see digests.	
			#May be employed only in a limited number of occupations not involving manufacturing or mining or occupations declared hazardous by the Secretary of Labor. See Child Labor Bulletin No. 101. See also occupations prohibited in column For all minors under age eighteen.	#Minors twelve and thirteen years of age may not be employed in employment covered by the child labor provisions of F.L.S.A. except (1) in agriculture, (2) as an actor or performer in motion picture, theatrical, radio, or television productions; (3) in the delivery of newspapers to the consumer. #Minors under sixteen years of age employed by their parents in occupations other than manufacturing or mining or occupations declared hazardous by the Secretary of Labor are also exempt.
Wages	*May not be paid less than minimum rates established in Orders of California Industrial Welfare Commission.	#May not be paid less than minimum wage rates established by Fair Labor Standards Act. #Must be paid overtime for hours in excess of 40 per week.		
Agriculture	*See text for exceptions where minor is working for parent.	Exception: No limitation on hours of work.	*May be employed after school and nonschool days only. #No employment permitted during school hours.	*May work on nonschool days only.
			*Hours of work: daily maximum, 8 hours, including time spent in school; weekly maximum, 48 hours.	

Note: Where any employer is subject to both state and federal law, the higher standard prevails.

Appendix D
PROVISIONS OF THE CALIFORNIA LABOR CODE RELATING TO CONTINUATION EDUCATION

Article 2. Minors

1290. No minor under the age of 16 years shall be employed, permitted, or suffered to work in or in connection with any manufacturing establishment or other place of labor or employment at any time except as may be provided in this article or by the provisions of Division 9 (commencing with Section 10501) of the Education Code.

(Amended by Stats. 1945, Ch. 627, and by Stats. 1965, Ch. 157.)

1291. Work is done for a manufacturing establishment within the meaning of this article whenever it is done at any place upon the work of a manufacturing establishment, or upon any of the materials entering into the products of a manufacturing establishment, whether under contract or arrangement with any person in charge of or connected with a manufacturing establishment directly or indirectly through contractors or third persons.

1292. No minor under the age of 16 years shall be employed or permitted to work in any capacity in:

(a) Adjusting any belt to any machinery.

(b) Sewing or lacing machine belts in any workshop or factory.

(c) Oiling, wiping, or cleaning machinery, or assisting therein.

1293. No minor under the age of 16 years shall be employed, or permitted, to work in any capacity in operating or assisting in operating any of the following machines:

(a) Circular or band saws; wood shapers; wood-jointers; planers; sandpaper or wood-polishing machinery; wood turning or boring machinery.

(b) Picker machines or machines used in picking wool, cotton, hair, or other material; carding machines; leather-burnishing machines; laundry machinery.

(c) Printing-presses of all kinds; boring or drill presses; stamping machines used in sheet-metal and tinware, in paper and leather manufacturing, or in washer and nut factories; metal or paper-cutting machines; paper-lace machines.

(d) Corner-staying machines in paper-box factories; corrugating rolls, such as are used in corrugated paper, roofing or washboard factories.

(e) Dough brakes or cracker machinery of any description.

(f) Wire or iron straightening or drawing machinery; rolling-mill machinery; power punches or shears; washing, grinding or mixing machinery; calendar rolls in paper and rubber manufacturing; steam-boilers; in proximity to any hazardous or unguarded belts, machinery or gearing.

1294. No minor under the age of 16 years shall be employed or permitted to work in any capacity:

(a) Upon any railroad, whether steam, electric, or hydraulic.

(b) Upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this State.

(c) In, about, or in connection with any processes in which dangerous or poisonous acids are used, in the manufacture or packing of paints, colors, white or red lead, or in soldering.

(d) In occupations causing dust in injurious quantities, in the manufacture or use of dangerous or poisonous dyes, in the manufacture or preparation of compositions with dangerous or poisonous gases, or in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health.

(e) On scaffolding, in heavy work in the building trades, in any tunnel or excavation, or in, about or in connection with any mine, coal breaker, coke oven or quarry.

(f) In assorting, manufacturing or packing tobacco.

(g) In operating any automobile, motor car or truck.

(h) In any bowling-alley, or pool or billiard room.

(i) In any occupation dangerous to the life or limb, or injurious to the health or morals of such minor.

1295. The provisions of Sections 1292, 1293, and 1294 shall not apply to the courses of training in vocational or manual training schools or in State institutions.

1296. The Division of Labor Law Enforcement may, after a hearing, determine whether any particular trade, process of manufacture, or occupation, in which the employment of minors under the age of sixteen years is not already forbidden by law, or whether any particular method of carrying on such trade, process of manufacture, or occupation is sufficiently dangerous to the lives or limbs or injurious to the health or morals of minors under sixteen years of age to justify their exclusion therefrom. No minor under sixteen years of age shall be employed or permitted to work in any occupation thus determined to be dangerous or injurious to minors. Any determination hereunder may be reviewed by the superior court.

(Amended by Stats. 1949, Ch. 127.)

1297. No girl under the age of 18 years and no boy under the age of 16 years shall be employed or permitted to work as a messenger for any telegraph, telephone, or messenger company, or for the United States Government or any of its departments while operating a telegraph, telephone, or messenger service, in the distribution, transmission, or delivery of goods or messages in cities of more than 15,000 inhabitants; nor shall any boy under the age of 18 years be employed, permitted, or suffered to engage in such work before 6 o'clock in the morning or after 9 o'clock in the evening.

1298. No boy under 10 years of age and no girl under 18 years of age, shall be employed or permitted to work at any time in or in connection with the street occupation of peddling, bootblacking, the sale or distribution of newspapers, magazines, periodicals, or circulars or in any other occupation pursued in any street or public place. Nothing in this section shall apply to cities whose population is less than 23,000 according to the preceding Federal census.

1299. Every person, or agent or officer thereof, employing either directly or indirectly through third persons minors under the age of 18 years, shall:

(a) Keep a separate register containing the names, ages, and addresses of such minor employees.

(b) Keep posted in a conspicuous place in every room where such minors are employed a notice stating the hours per day for each day of the week required of such minors.

(c) Keep on file all permits and certificates, either to work or to employ, issued under the provisions of this article or of Division 9 (commencing with Section 10501) of the Education Code. Such records and files shall be open at all times to the inspection of the school attendance and probation officers, the State Board of Education, and the officers of the Division of Labor Statistics and Law Enforcement.

(Amended by Stats. 1945, Ch. 627, and by Stats. 1965, Ch. 157.)

1300. All certificates and permits to work or to employ shall be returned to the issuing authority within five days after the minor quits his employment. Such certificate or permit shall be subject to cancellation at any time by the Labor Commissioner or by the issuing authority, whenever the commissioner or the issuing authority finds that the conditions for the legal issuance of such certificate or permit no longer exist or have never existed.

1301. On or before January 10th and on or before July 10th of each year, the authority issuing permits and certificates either to work or to employ shall file with the Division of Labor Law

Enforcement and the State Board of Education a full written report of the same, stating the names, ages, and addresses of the minors under sixteen years of age affected thereby.

(Amended by Stats. 1949, Ch. 127.)

1302. The attendance officer of any county or school district in which any place of employment is situated, or the probation officer of such county, may at any time, enter such place of employment for the purpose of investigating violations of the provisions of this article, or violations of the provisions of Division 9 (commencing with Section 10501) of the Education Code. If an attendance or probation officer is denied entrance to such place of employment, any magistrate may, upon the filing of an affidavit by the attendance or probation officer setting forth the fact that he has a good cause to believe that the provisions of this article or of Division 9 (commencing with Section 10501) of the Education Code are being violated in such place of employment, issue an order directing the attendance or probation officer to enter the place of employment for the purpose of making such investigations.

(Amended by Stats. 1945, Ch. 627, and by Stats. 1965, Ch. 157.)

1303. Any person, or agent or officer thereof, employing either directly or indirectly through third persons, or any parent or guardian of a minor affected by this article who violates any provision hereof, or who employs, or permits any minor to be employed in violation hereof, is guilty of a misdemeanor, punishable by a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200) or imprisonment in the county jail for not more than 60 days, or both.

1304. Failure to produce any permit or certificate either to work or to employ or to post any notice required by this article is prima facie evidence of the illegal employment of any minor whose permit or certificate is not so produced or whose name is not so posted. Proof that any person was the manager or superintendent of any place of employment subject to the provisions of this article at the time any minor is alleged to have been employed therein in violation thereof, is prima facie evidence that the person employed, or permitted the minor so to work. The sworn statement of the Labor Commissioner or his deputy or agents as to the age of any child affected by this article is prima facie evidence of the age of such child.

1305. Any fine collected under this article shall be paid into the school funds of the county in which the offense occurred, except when the fine is imposed and collected as the result of prosecutions by the Division of Labor Law Enforcement, in

which case one-half of the fine shall be paid into the State Treasury and credited to the General Fund and one-half paid into the school funds of the county in which the offense occurred.
(Amended by Stats. 1949, Ch. 127.)

1306. All violations of this article whether prosecuted or not, shall be reported in writing by the Division of Labor Law Enforcement to the State Board of Education immediately after their occurrence. The report shall state the name and address of the person charged with the violation, the nature of the charge and the name, age, and address of the minor affected thereby, and shall be followed on or before January 10th and on or before July 10th of each year, by a written summary of all violations of this article which have occurred during the preceding period of six months.
(Amended by Stats. 1949, Ch. 127.)

1307. All minors coming within the provisions of Division 9 (commencing with Section 10501) of the Education Code shall be placed or delivered into the custody of the school district authorities of the county or city in which they are found illegally at work.
(Amended by Stats. 1945, Ch. 627, and by Stats. 1965, Ch. 157.)

1308. Any person is guilty of a misdemeanor and is punishable by a fine of not less than fifty dollars ($50) and not more than two hundred fifty dollars ($250) or imprisonment for not exceeding six months or both, who, as parent, relative, guardian, employer, or otherwise having the care, custody, or control of any minor under the age of 16 years, exhibits, uses, or employs, or in any manner or under any pretense, sells, apprentices, gives away, lets out, or disposes of any such minor to any person, under any name, title, or pretense for, or who causes, procures, or encourages such minor to engage in:

(a) Any business, exhibition, or vocation, injurious to the health or dangerous to the life or limb of such minor.

(b) The vocation, occupation, service, or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging, or peddling, or as a gymnast, acrobat, contortionist, or rider, in any place whatsoever.

(c) Any obscene, indecent, or immoral purposes, exhibition, or practice whatsoever.

(d) Any mendicant or wandering business.

Nothing in this section applies to or affects:

(a) The employment or use of any minor, as a singer or musician in any church, school, or academy, or the teaching or learning of the science or practice of music.

(b) The employment of any minor as a musician at any concert or other musical entertainment on the written consent of the mayor of the city or president of the board of trustees of the city or town where such concert or entertainment takes place.

(c) The participation by any minor in amateur horseback riding exhibitions, contests or events, which are nonprofit in nature or which are sponsored by nonprofit organizations, and in which no minor participant receives payment for his services or money prizes.

(d) The leading of livestock by a minor in nonprofit fairs stock parades, livestock shows and exhibitions.

(Amended by Stats. 1949, Ch. 447, and by Stats. 1961, Ch. 1808.)

1309. Every person who takes, receives, hires, employs, uses, exhibits, or has in custody, for any of the purposes mentioned in Section 1308, any minor under the age of 16 is guilty of a misdemeanor punishable by a fine of not less than fifty (50) nor more than two hundred fifty dollars ($250), or imprisonment for not more than six months, or both.

1310. All fines collected under Sections 1308 or 1309 where the prosecution is instituted or conducted by a society incorporated under the laws of this State for the prevention of cruelty to children, inure to such society in aid of the purposes for which it is incorporated.

1311. The Division of Labor Law Enforcement shall enforce this article.

(Amended by Stats. 1949, Ch. 127.)

1390. As used in this article, unless the context otherwise indicates:

(a) "Horticultural" includes the curing and drying but not the canning of all varieties of fruit.

(b) "Drama" or "play" includes the production of motion picture plays.

1391. Except as provided in Sections 1297 and 1298, no minor under the age of 18 years shall be employed more than eight hours in one day of 24 hours or more than 48 hours in one week, or before 5 o'clock in the morning, or after 10 o'clock in the evening.

Any person or the agent or officer thereof, or any parent or guardian, who directly or indirectly violates or causes or suffers the violation of any provision of this section is guilty of a misdemeanor punishable by a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200) or imprisonment in the county jail for not more than 60 days or both.

1392. Every person who has a minor under his control, as a ward or an apprentice, and who, except in viticultural or horticultural pursuits or in domestic or household occupations, requires such minor to labor more than eight hours in any one day, is guilty of a misdemeanor.

1393. No minor under the age of 18 years shall vend and sell goods, engage in, or conduct any business between 10 o'clock in the evening and 5 o'clock in the morning.

Any person who violates this section is guilty of a misdemeanor, punishable by a fine of not more than twenty dollars ($20), or by imprisonment for not more than 10 days, or by both.

1394. Nothing in this article or Article 2 of Chapter 2 of this part shall prohibit or prevent:

(a) The employment of minors 16 years of age or over in agricultural, horticultural, viticultural, or domestic labor for more than eight hours in one day or more than 48 hours in one week.

(b) The employment of any minor at agricultural, horticultural, viticultural, or domestic labor during the time the public schools are not in session, or during other than school hours, when the work performed is for or under the control of his parent or guardian and is performed upon or in connection with premises owned, operated or controlled by the parent or guardian; but nothing herein shall permit children under school age to work at such occupations, while the public schools are in session.

(c) The employment of any minor by engineers engaged in survey work as part of a survey crew in the field.

(Amended by Stats. 1941, Ch. 287, by Stats. 1949, Ch. 447; by Stats. 1951, Ch. 1019, and by Stats. 1957, Ch. 1903.)

1394.5. Nothing in this article or Article 2 of Chapter 2 of this part shall prohibit or prevent:

(a) The appearance of any minor in any church, public or religious school, or community entertainment.

(b) The appearance of any minor in any school entertainment or in any entertainment for charity or for children, for which no admission fee is charged.

(c) The appearance of any minor in any radio or television broadcasting exhibition, where the minor receives no compensation directly or indirectly therefor, and where the engagement of the minor is limited to a single appearance lasting not more than one hour, and where no admission fee is charged for the radio broadcasting or television exhibition.

(Added by Stats. 1951, Ch. 1019.)

1395. If the written consent of the Labor Commissioner is first obtained, or if such consent is not required for radio or television by the provisions of subdivision (b) of Section 1394.5, nothing in this article or Article 2 of Chapter 2 of this part shall prohibit or prevent:

(a) The employment of any minor, in the presentation of any drama, legitimate play, or in any radio broadcasting or television studio.

(b) The employment of any minor 12 years of age or over in any other performance, concert, or entertainment.

(c) Any minor over the age of eight years from appearing in any performance, concert, or entertainment during the public school vacation.

(d) Any minor between the ages of eight and 18 years, who is by any law of this State permitted to be employed as an actor, actress, or performer in a theater, motion picture studio, radio broadcasting studio, or television studio, before 10 o'clock p.m., in the presentation of a performance, play, or drama continuing from an earlier hour till after 10 o'clock p.m., from performing his part in such presentation between the hours of 10 and 12 o'clock p.m.

(e) The appearance of any minor in any entertainment which is noncommercial in nature.

(f) The employment of any minor artist in the making of phonograph recordings.

(g) The employment of any minor as an advertising or photographic model.

(h) The employment or appearance of any minor pursuant to a contract approved by the superior court under the provisions of Section 36 of the Civil Code.

(Amended by Stats. 1941, Ch. 282, by Stats. 1943, Ch. 854, by Stats. 1947, Ch. 144, and by Stats. 1951, Ch. 1019.)

1396. No such consent shall be given at any time unless the officer giving it is satisfied that:

(a) The environment in which the performance, concert, or entertainment is to be produced is proper for the minor.

(b) The conditions of employment are not detrimental to the health of the minor.

(c) The minor's education will not be neglected or hampered by his participation in such performance, concert, or entertainment.

The Labor Commissioner may require the authority charged with the issuance of age and schooling certificates to make the necessary investigation into the conditions covered by this section.

1397. Every written consent shall specify the name and age of the minor, together with facts necessary for his proper identification, and the date when, and the theaters or places of amusement in which the performance, concert, or entertainment is to be produced. The written consent shall also specify the performance, concert, or entertainment in which the minor is permitted to participate. Every consent shall be revocable at will by the officer giving it.

1397.5. Any person, or the agent, manager, superintendent or officer thereof, employing either directly or indirectly through third persons, or any parent or guardian of a minor who employs, or permits any minor to be employed in violation of any of the provisions of Section 1395 is guilty of a misdemeanor.

(Added by Stats. 1945, Ch. 538; amended by Stats. 1959, Ch. 600.)

1398. The Division of Labor Law Enforcement shall enforce the provisions of this article.

(Amended by Stats. 1949, Ch. 127.)

Appendix E

A FRAMEWORK FOR ACCOMPLISHING DESIRED OUTCOMES IN CONTINUATION EDUCATION

I. Provisions for improving school attendance

- A. Good teachers
  - 1. Capable of maintaining high standards
  - 2. Capable of maintaining adult relationships
  - 3. Capable of engaging in "team teaching"
- B. Good teaching
  - 1. Curriculum
    - a. Has worthy objectives
    - b. May lead to high school graduation
    - c. Gives students feeling of security
    - d. Promotes students' self-esteem
    - e. Consists mostly of academic subjects
  - 2. Teaching methods
    - a. Designed to develop good study habits
    - b. Designed to promote program flexibility
    - c. Designed to control class behavior
    - d. Designed to match performance with assignments
    - e. Designed to promote individualized instruction
      - (1) Students do different work.
      - (2) Students may begin work at any time.
      - (3) Students may follow any acceptable method: contract, conference, project, or cycle.
      - (4) Students may work at their own speed and may receive credit when they finish.
- C. Good facilities
  - 1. Program housed separately
  - 2. Quality up to district standards

- D. Adequate counseling
    - 1. For groups and for individuals
    - 2. In cooperation with home and work
- E. Infusion of spirit of new opportunity
- F. Acceptance of student as an adult
- G. Development of personalized approach to learning
- H. Friendly reception of students

II. Provisions for improving academic performance

- A. Teaching directed according to abilities, performance levels, interests, and goals of students
- B. Progress recognized
    - 1. Papers corrected immediately
    - 2. Credits issued as earned

III. Provisions for overcoming deficiencies

- A. Students may spend more time in school to catch up on subjects or to take more subjects.
- B. Students may make up for lost time as they wish.

IV. Provisions for improving attitudes and relationships: toward one's self, toward one's peers, and toward adults; toward authority; and toward home and school

- A. Good school leadership
- B. Small classes
- C. "Team teaching" approach to instruction
- D. Community coordination
- E. Treatment of students as adults

V. Provisions for constructive self-motivation

- A. Students able to graduate from high school
    - 1. Goal develops prestige and incentive.
    - 2. Goal builds morale among students and faculty.
- B. Students able to combine school and work
    - 1. Counselor places students according to their best long-term interests.

2. Counselor avoids danger of referring most promising students to jobs; he realizes that without high school diplomas these students will have difficulty finding jobs later on.

C. Students encouraged to remain in continuation school

D. Students able to continue work from one semester to another until they finish

Appendix F

A MODEL RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A CONTINUATION HIGH SCHOOL

Resolution No. __________

WHEREAS: Education Code Section 5952 requires the establishment and maintenance of special continuation education classes in each high school and unified school district; and

WHEREAS: Education Code sections 5654, 17663, and 17664 and the California Administrative Code, Title 5, Section 115, permit and set forth necessary conditions for the establishment of a "necessary small high school" to implement the requirement of Education Code Section 5952; and

WHEREAS: In the judgment of the district superintendent and of the governing board, a continuation high school established as a "necessary small high school" will best serve the needs of the students who attend continuation classes and the needs of the district as a whole;

NOW, THEREFORE, LET IT BE RESOLVED: That the establishment of a continuation high school as designated, defined, and regulated by Education Code sections 5553, 5654, 17663, and 17664, and the California Administrative Code, Title 5, Section 115, should be and is hereby authorized in and by the ______________ Unified School District, subject to the approval of the California State Department of Education.

Adopted at a regular meeting of the Board of Education of the ______________ Unified School District held ______________.

____

Superintendent
and
Secretary to the Board of Education

Appendix G

AN EXAMPLE OF STATE AID COMPUTATION FOR A DISTRICT WITH CONTINUATION EDUCATION CLASSES AND FOR A DISTRICT WITH A NECESSARY SMALL HIGH SCHOOL PROGRAM[1]

A District with Continuation Education Classes

A.d.a. in regular classes	$ 1,000
A.d.a. in continuation education classes	35
Assessed valuation of district	30,000,000
Foundation program = $472 × 1,035	488,520
District aid = $30,000,000 × .0080	240,000
State aid = $488,520 − $240,000	248,520
Basic aid = $125 × 1,035	129,375
Equalization aid = $248,520 − $129,375	119,145

A District with a Necessary Small High School

Foundation program = $472 × 1,000	$ 472,000
Foundation program for necessary small high school	49,500
Total	521,500
District aid	240,000
State aid = $521,500 − $240,000	281,500
Basic aid = 1,035 × $125	129,375
Equalization aid = $281,500 − $129,375	152,125

Explanation of Terms

Foundation program: $472 per a.d.a.
Basic aid: $125 per a.d.a. of prior year
District aid: Assessed valuation × .0080 (80 cents per $100)
State aid: Foundation program − District aid
Formula: $472 − district aid = basic aid + equalization aid

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[1] Prepared by John W. Voss, Special Consultant, Bureau of Elementary and Secondary Education, California State Department of Education.

Appendix H

NUMBER OF CERTIFICATED EMPLOYEES FOR NECESSARY SMALL HIGH SCHOOLS AND APPROVED SEPARATE CONTINUATION HIGH SCHOOLS

MEMORANDUM December 5, 1966

TO: County and District Superintendents of Schools

FROM: Bureau of School Apportionments and Reports, Division of Public School Administration, California State Department of Education

The following instructions relate to the method to be used in determining the number of "certificated employees" for "necessary" small high schools, or approved separate continuation high schools having an average daily attendance of less than 301, or a junior high school of less than 75 in grade nine. The number of "certificated employees" is required to be reported for the purposes of foundation program computations under the provisions of Education Code Section 17664 on the First (J-19-P1) and Second (J-19-P2) Period Reports of Attendance.

1. The definition of a "certificated employee" is given as follows:

   A "certificated employee" is one who serves in an equivalent full-time position of an individual holding a credential authorizing service and performing service in grades nine through twelve in any secondary school.

   Grades nine, ten, and eleven, or any combination thereof (i.e., nine, nine through ten, or nine through eleven) maintained in a junior high school which has a separate administrative head, comprise a school for the purposes provided in Education Code Section 17664.

   Any employee performing service for which a credential is required, in grades nine through twelve in any secondary school that has a separate administrative head, shall be considered a "certificated employee."

   The following are examples of positions that are common in school districts: principals, vice-principals, coordinators, supervisors, teachers, librarians, child welfare and attendance supervisors, supervisors of health, and psychologists. A district superintendent for districts maintaining more than one school who does not perform an instructional service in grades nine through twelve shall not be considered a "certificated employee" for the purposes of Education Code Section 17664.

   District superintendents serving as principals of high schools may be considered "certificated employees" for the period of time devoted to the principalship.

2. There are four factors needed for the determination of the "equivalent full-time positions":

   a. The number of hours considered by the governing board as a full working day for an employee

b. The portion of the working day served by an employee

c. The number of full days during the school year which an employee has served or will serve

d. The number of days the regular day schools of the district were or will be in session

3. Regular day schools. A "certificated employee" performing a full day's service (to be determined in hours by the governing board) each day during the school year when regular schools of the district are in session shall be counted as the holder of one equivalent full-time position. Any service performed by a "certificated employee" for less than a full day or less than the number of days schools are in session during the school year shall be considered part time. The equivalent full-time position of an employee is equal to the number of full days' service divided by the number of days the regular day school was in session during the school year, expressed in decimals to the nearest one hundredth (.01). Examples follow.

   a. Employee working full-time each day (on the basis of the number of hours considered a full day by the governing board) for 80 days of the 175 days the regular schools were in session:

      80/175 or .46

   b. Employee working two hours during each day (when a period of eight hours per day is determined by the governing board to be a day's service) for 175 days the regular schools were in session:

      2/8 × 175/175 or .25

   c. Employee working two hours each day (when a period of eight hours per day is determined by the governing board to be a day's service) for 80 days of the 175 days the regular schools were in session

      2/8 × 80/175 or .11

   After such determinations have been made, combine the whole number and decimals into one total. Any fraction or decimal in this total figure may then be considered a full-time position; i.e., 10.33 is considered 11 full-time positions.

4. Approved separate continuation high schools. The same procedure should be used in reporting the number of full-time employees for an approved separate continuation high school. The number of hours to be considered a full day's service must be determined by the governing board and should be equivalent to the number of hours required in a regular high school of the district. Any service performed by a "certificated employee" for less than a full day or less than the number of days the regular schools are in session during the school year shall be considered part time.

5. The following example shows the procedure to be used:

   a. Seven teachers and one principal working full time each day for 175 days:

      8 × 175/175 . . . . 8.00

b. Four teachers working as stated in Item 5a:

4 × 80/175 . . . . 1.83

c. Two teachers working as stated in Item 5b:

2 × 2/8 × 175/175. 50

Total to be reported . . . 10.33

(rounded off) 11

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